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THE
SPEECHES
OF THE
RIGHT HONOURABLE
HENRY GRATTAN,
IN THE IRISH,
AND
IN THE IMPERIAL PARLIAMENT.

EDITED BY HIS SON.

IN FOUR VOLUMES.

VOL. IV.

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SPEECHES

OF THE

RIGHT HONOURABLE

HENRY GRATTAN,

&c. &c.

UNION.

LORD CASTLEREAGH MOVES FOR LEAVE TO BRING IN THE
UNION BILL.

May 26. 1800.

ON the 21st of March the report of the committee on the Union was received, and a debate took place, in which Sir Laurence Parsons, Mr. Goold, Sir John Freke, Mr. O'Donnell, Mr. Charles Bushe, Mr. Dawson, and Mr. Edgeworth, severally spoke against the measure. They strongly reprobated the idea of granting compensation for boroughs, as being contrary to the principles of the constitution, and a mere measure of corruption; it was making the nation pay for the extinction of its own independence. Mr. Edgeworth said, that within the last fortnight he had been offered 3000 guineas for his seat; and that it was by such proceedings alone, that the measure of Union was carried.

The resolutions were put by the Speaker from the chair, and agreed to; and a message was sent up from the Commons to the Lords: a debate there ensued, and Lord Farnham objected to the measure *in toto*; he conceived the clause respecting the number of Peers to be a mockery of representation. On this clause there was a division, Ayes 51, Noes 17. The measure received the support of Lord Chief Baron Yelverton.

The articles were agreed to; and on the question, that a message be sent to the Commons, informing them that the Lords had agreed to the resolutions, the House divided, Ayes 72, Noes 22. Majority in favour of the Union 50. The two Houses then agreed that an address, together with the resolutions, should be presented to His Majesty; and they then adjourned to the 8th of May.

This address was as follows :

" We, Your Majesty's most dutiful and loyal subjects, the Lords spiritual and temporal, and Commons, in Parliament assembled, beg leave to acquaint Your Majesty, that we have taken into our most serious and deliberate consideration, the great and important subject of a legislative Union between Great Britain and Ireland, which was laid before us in his Excellency the Lord Lieutenant's message to both Houses of Parliament, on the fifth day of February last, accompanied by the resolutions of the two Houses of the Parliament of Great Britain, proposing that great measure, and the earnest and solemn recommendation of Your Majesty.

" Deeply impressed with the necessity of rendering the connection of Great Britain and this kingdom indissoluble, and truly sensible of the repeated efforts which have been made by foreign and domestic enemies to shake that connection, and to effect their entire separation, we fully approve, and cordially embrace, the principle of incorporating Great Britain and Ireland into one kingdom, under Your Majesty's auspicious government, by a complete and entire union of their legislatures.

" We do consider the resolutions of the two Houses of the British Parliament as wisely calculated to form the basis of such a settlement; we have adopted them as our guide in the measures we have pursued, and we now feel it our duty to lay before Your Majesty the resolutions to which we have agreed, which resolutions, we humbly submit to Your Majesty, may form the articles of Union between Great Britain and Ireland, and which, if they shall be approved by the two Houses of the Parliament of Great Britain, we are ready to confirm and ratify, in order that the same may be established for ever by the mutual consent of both Parliaments.

" We doubt not that Your Majesty and Your Parliament of Great Britain, will consider these resolutions as the most unequivocal testimony of our zealous loyalty to Your Majesty's sacred person, family, and government. And as an unalterable pledge of our attachment to the British empire, we offer them in the full conviction, that by incorporating the legislatures, and by consolidating the resources of the two kingdoms, we shall increase the power and stability of that empire; and that by uniting ourselves with Your Majesty's subjects of Great Britain under one parliament, and under one government, we shall most effectually provide for the improvement of our commerce, the security of our religion, and the preservation of our liberties."

This address, together with the resolutions, was, on the 2d of April, laid before both Houses of the British Parliament, accompanied with the following message from His Majesty :

" G. R.

" It is with the most sincere satisfaction, that His Majesty finds himself enabled to communicate to this House the joint address of his Lords and Commons of Ireland, laying before His Majesty certain resolutions, which contain the terms proposed by them for an entire Union between the two kingdoms. His Majesty is per-

suaed that this House will participate in the pleasure with which His Majesty observes the conformity of sentiment manifested in the proceedings of his two Parliaments, after long and careful deliberation on this most important subject, and he earnestly recommends to this House, to take all such further steps as may best tend to the speedy and complete execution of a work so happily begun, and so interesting to the security and happiness of His Majesty's subjects, and to the general strength and prosperity of the British empire.

“ G. R.”

These documents were referred to a committee. The Chancellor of the Exchequer (Mr. Pitt) moved the Union resolutions in the Commons; Mr. Grey moved an amendment, “ That an humble address be presented to His Majesty, praying that he will be graciously pleased to direct his ministers to suspend all proceedings on the Irish Union, till the sentiments of the Irish people respecting that measure can be ascertained.” This was supported by Dr. Laurence, Mr. Sheridan, and Mr. Tierney. It was opposed by Lord Carysfort, Mr. Johnson, Mr. Nichols, Sir G. P. Turner, General Loftus, and Mr. Dundas. On a division, there were for Mr. Grey's motion 30, against it 236; majority 206. On the 2d of May the report was brought up, when Dr. Laurence moved to postpone the consideration of the subject for six months, which on a division was negatived by 208 to 26. In the Lords the measure was introduced by Lord Grenville, the Union resolutions were adopted, and both Houses agreed to the following address to His Majesty:

“ We, Your Majesty's most dutiful and loyal subjects, the Lords spiritual and temporal, and Commons, in Parliament assembled, humbly beg leave to acquaint Your Majesty, that, in conformity to Your Majesty's gracious message, laying before us the resolutions of the Lords and Commons of Ireland, we have proceeded to resume the consideration of the great and important subject of a legislative Union between Great Britain and Ireland, and it is with unspeakable satisfaction we have observed the conformity of the said resolutions to those principles which we humbly submitted to Your Majesty in the last session of parliament, as calculated to form the basis of such a settlement.

“ With the few alterations and additions which we have found it necessary to suggest, we consider these resolutions as fit to form articles of Union between Great Britain and Ireland, and if those alterations and additions shall be approved by the two Houses of the Parliament of Ireland, we are ready to ratify and confirm these articles, in order that the same may be established for ever by the mutual consent of both parliaments.

“ We offer to Your Majesty our humble congratulations upon the near prospect of the accomplishment of a work, which Your Majesty as the common father of your people has justly declared to be so near your heart, concurring as we do with your Houses of Parliament in Ireland in the full conviction that, by incorporating the legislatures and consolidating the resources of the two king-

doms, we shall increase the power and stability of the British empire, and shall at the same time contribute in the most effectual manner to the improvement of the commerce, the security of the religion, and the preservation of the liberties of Your Majesty's subjects in Ireland."

On the 8th of May the Irish Parliament met, pursuant to adjournment, and on the 10th, the following message was delivered by Lord Castlereagh from the Lord Lieutenant.

" CORNWALLIS,

" I am commanded by His Majesty to return to this House the resolutions upon the great and important subject of a legislative Union between Great Britain and Ireland, which you desired me to transmit to His Majesty, together with your address of the 27th day of March last.

" The few alterations and additions which have been suggested therein by the two Houses of Parliament in Great Britain, to whom, in consequence of your request, they were communicated by His Majesty, are in such strict conformity to the spirit of the resolutions you agreed to, that they may be justly considered as essentially the same. I am, therefore, to congratulate you in His Majesty's name, upon that identity of sentiment which had been so conspicuously manifested in both his parliaments for the adjustment of this great measure; and I am to express the confidence which His Majesty feels, that you will persevere in those zealous exertions which you have hitherto displayed for its speedy and entire accomplishment.

" His Majesty will feel it as the proudest day of his reign, when he can consider all his subjects as one people, united under the common protection of the same government and the same legislature, and all participating in the full enjoyment of those blessings which the British constitution is so eminently calculated to confer.

" I am also commanded by His Majesty to communicate to you the joint address of the Lords and Commons of Great Britain of the 8th instant, which they communicated to His Majesty upon laying before him the said resolutions."

" C."

In the House of Commons, on the motion of Lord Castlereagh, a Committee was appointed to enquire into the alterations in the resolutions; and the committee having reported on the 21st, he moved for leave to bring in a bill to unite the kingdoms of Great Britain and Ireland. This was opposed by Major Osborne, Mr. O'Donnell, Mr. George Ponsonsby, Mr. Ogle, Mr. Charles Ball, Sir Laurence Parsons, and Mr. Goold, who concluded a speech of great energy in the following words, " I know the ministers must now succeed, but I will not go away with an aching heart, because I know that the liberties of the people must ultimately triumph. The people must at present submit, because they cannot resist 120,000 armed men; but the period will occur, when as in 1782, England may be weak, and Ireland sufficiently strong to recover her lost liberties." It was supported by Mr. Holmes, Mr. David La Touche, Sir H. Cavendish, Sir B. Roche, Mr. R.

Martin, and Dr. A. Browne. On a division the numbers were Ayes 160, Noes 100: majority for leave to bring in a bill 60.

The bill was then read a first time, ordered to be printed, and read a second time on the 26th. On the 22d, a message came from the Lords stating, that they had agreed to an address to His Majesty expressive of their concurrence in the articles of Union, as altered in Great Britain, and desiring the concurrence of the Commons, and on a motion to that effect the address was carried by 67 to 37. The address was as follows:

"Most Gracious Sovereign,

"We, Your Majesty's most dutiful and loyal subjects, the Lords spiritual and temporal, and Commons, in Parliament assembled, beg leave to acquaint Your Majesty, That we have agreed to those alterations and additions which have been made by the two Houses of the Parliament of Great Britain, to the resolutions which we submitted to Your Majesty, in our joint address of the 28th of March last, as proper to form the articles of Union of the two kingdoms; that we have seen with the most cordial satisfaction that entire correspondence of sentiment, which has been manifested by the two legislatures in the arrangement of this important subject, and we doubt not that by a continuance of that friendly disposition, the work which occupies their joint attention will be speedily and happily completed:

"We beg leave at the same time to lay before Your Majesty a statement of these countervailing duties which are agreed upon as necessary to be imposed on articles, the growth, produce, and manufacture of Great Britain imported into this kingdom, which we humbly request Your Majesty will communicate to the two Houses of your Parliament of Great Britain for their concurrence."

On the ensuing day, Lord Castlereagh moved, That the Chancellor of the Exchequer (Mr. Corry), Mr. J. Beresford, and the Attorney General (Mr. Toler), should meet the Lords next day at the Castle, and attend his Excellency with the address; upon which Mr. O'Donnell moved by way of amendment, that all the general and staff-officers, the place-men and pensioners, (members of the House) should present the address. The motion was as follows, that after the words "Attorney General" the following words be inserted:—

	Member for	
John Staples	Antrim	Examinator of Customs, and who has a pension
William Arthur Crosbie Trim		Steward of the Household, Customer and Comptroller of Wexford, Commissioner of Stamp Duties
Sir Boyle Roche	Old Leighlin	Gentleman Usher
George Miller	Castlebar	Gentleman of the Bed Chamber
Sir Chichester Fortescue Trim		Ulster King at Arms
Edward Cooke	Old Leighlin	Under Secretary to the Civil Department, Keeper of the Phoenix Park, Customer of Kinsale, and in reversion of the place of

Member for		Clerk to the House of Commons
William Elliott	St. Canice	Under Secretary of Military Department
Thomas Lindsay	Castlebar	Gentleman Usher of the Black Rod, Receiver-General of Stamp Duties
Rt. Hon. John M. Mason	St. Canice	Commissioner of Treasury
Rt. Hon. Lodge Morris	Dingle	Ditto Ditto
Sir G. Shee	Knocktopher	Secretary to Treasury
Lord Loftus	Wexford	Teller of Exchequer
St. George Daly	Galway	Prime Serjeant
John Stewart	Bangor	Solicitor-General
Henry Westenra	Monaghan	Seneschal of Manors
John Longfield	Mallow	Customer of Cork
Francis M'Namara	Killybegs	Customer of Dingle
Stephen Moore	Kells	Accomptant-General
William Knott	Taghmon	Commissioner of Appeals
William Wynne	Sligo	Ditto Ditto
Patrick Duigenan	Armagh	King's Advocate-General
Richard Herbert	Granard	Commissioner of Accompts
Thomas Burgh	Fore	Ditto Ditto
William Gore	Carrick	Commissioner of Barracks
Chs. M. Ormsby	Duleek	Ditto Ditto
Denham Jephson	Mallow	Pensioner 600l. per annum
George Hatton	Lisburn	Commissioner of Stamps
Maurice Fitzgerald	Kerry	Commissioner of Revenue
John Longfield	Cork	Ditto Ditto
Richard Annesley	Middleton	Ditto Ditto
John Townshend	Castle Martyr	Ditto Ditto
Charles H. Coote	Queen's County	Ditto Ditto
J. O. Vandeleur	Ennis	Ditto Ditto
Hon. Walter Yelverton	Tuam	Cursitor of Chancery
C. Osborne	Carysfort	Counsel to Commissioners of Revenue
Hon. F. H. Hutchinson	Naas	Collector to Port of Dublin
Rt. Hon. Wm. Forward	John's Town	Treasurer to Post-Office
Ponsonby Tottenham	Clonmines	Pension 300l. per annum
Sir John Blaquiere	New Town	Pension 2231l 8s. 11d. per annum, Alnager of Ireland, Director of Paving Board, &c.
Peter Holmes	Doneraile	Commissioner of Stamps
Hugh Howard	John's Town	Ditto Ditto
Robert Johnson	Phillip's Town	Counsel to Commissioners of Revenue
George Harrison Reed	Fethard	Surveyor of Wexford
Francis Leigh	Wexford	Collector of Dublin
James Cuffe	Tulsk	Treasurer to Barrack Board
John Hobson	Cloghnakilty	Master of Stores
Col. R. Uniacke	Youghal	Surveyor-General of Ordnance
H. Alexander	Londonderry	Chairman of Ways and Means
Theophilus Jones	Leitrim	Pension, Revenue Establishment
Lord Charles Fitzgerald	Ardfert	Master-Master-General
Thomas Pakenham	Longford	Lieutenant-General of Ordnance
Richard Magennis	Carlingford	Clerk of Ordnance
Sir Henry Cavendish	Lismore	Receiver-General of Revenues
Hon John Jocelyn	Dundalk	Surveyor of Belfast

Member for		
Hon. Henry Skeffington	Antrim	Governor of Cork
Hon. John Stratford	Baltinglass	Paymaster of Foreign Forces
Edmond Stanley	Lanesborough	Third Serjeant, and a pension of 400l. a year to his wife
Robert Tighe	Carrick	Comptroller of Customs in Dublin
Walter Jones	Coleraine	Compensation for Payment of Corn Premiums coastways
T. Nesbit	Cavan	Pensioner;
Hon. A. Creighton	Lifford	Register of Forfeitures
General Nugent	Charleville	Adjutant-General
General Craddock	Thomas Town	Quarter-Master-General
General Eustace	Fethard	Governor of Ross Castle
General Gardiner	Knocktopher	Staff
General Lake	Armagh	Staff
General Hutchinson	City of Cork	Staff
General Dunne	Maryborough	Staff
General Henniker	Kildare	Staff
Stewart Bruce	Lisburn	Aid-du-Camp to Lord Lieutenant
Thomas Casey	Kilmallock	Commissioner of Bankrupts
Thomas Pendregast	Cloghnakilty	Ditto Ditto

The House divided on this amendment of Mr. O'Donnell: the numbers were, Ayes 18, Noes, 53. Lord Castlereagh's motion that the bill be read a second time on the 26th, was then put and carried.

On this day (26th) the bill was read a second time, and on the motion that it be committed:

Mr. GRATTAN observed that the bill before the House was full of inaccuracies, but inaccuracy was the least of the objections; it did indeed refer to a schedule for duties which were not there set forth, and which were not yet passed — it did indeed recite a bill to have passed both Houses of Parliament which was at that very moment in debate before the House of Lords, and it did describe that very bill by the name of an act of parliament; (saying, that when the act, viz. a bill which had only passed one house, had the royal assent, should pass) — offending against parliamentary propriety and legal phraseology with its various and great improprieties, the evident marks of haste and carelessness; but all these are lost in the fatal principle of ruin and extinction which the bill contains, whose enacting clauses are two, 1st, that there shall be a distinct and separate council, and 2dly, that there shall not be a parliament.

That is to say, that you are to have not what is miscalled a union, still less a union and a constitution of liberty, but a subordinate Irish government without the control of an Irish parliament; the inferiority, the expence, the patronage, of a second and secondary government, with all those distinctions which attend separate establishments of finance; and revenue, with a separate system of trade, with a different interest for money, and a distinct code of law. This breach of com-

pact, for such I must call it — this surrender of liberty, for it is nothing less — this transfer of the powers of the country to Great Britain — (What powers have you over India? precisely as much as you retain over Ireland) — this introduction of an innovation, consisting of a separate Irish government without an Irish parliament, is made at a time of national debility and division, the result of a rank and vicious system of government, formed to corrupt the upper order, and divide and inflame the lower, and to deprive both of their liberty; such as one part of the present British cabinet abjured, and declaring that they took office principally to reform, did greatly confirm and aggravate; at a time too of martial law, admitted under the plea of necessity, but with great effect to depress and intimidate, not rebellion but assertion — not the spirit of insurrection, but the spirit of constitution, which would have also spoken more decidedly (and yet very decidedly it has spoken notwithstanding.)

At a time, I say, when government was possessed of dictatorial power, and at a time when a spirit of innovation was abroad, which has been adopted by the ministers of the crown, who thus afford their example to overturn the throne by overturning the constitution, and teach the Jacobin, if he wanted to be taught, to make war on the rights of kings, by making a Jacobinical war on the rights of the people: the power given them to preserve the settled state of order, they use to introduce a new order of things, and make government a question of strength, not of opinion; they run the chance of future anarchy, in order to establish present despotism; they go into the very excesses they condemn, and are the bad example they deprecate; they tell the people practically and effectually, that there is a faction not less daring and destructive than the rankest democracy; a faction which, under the colour of supporting government, would eradicate the great fundamental and ancient principles of public security, as effectually, as ambitiously, and as seditiously as its rival the Jacobin; who is only guilty of an opposite excess, and who is likely to follow and march through the public breach which the slaves of despotism have made in the fundamental laws of the land, for the entrance of the two extremes in succession, Tyranny that takes the lead and Anarchy that follows.

If the principle of this bill be innovation, the terms of it are innovation likewise; the alteration in our system of commerce is innovation, the alteration in our system of revenue is innovation; the bill teems with every thing that is exceptionable; they talk to you indeed, as if for liberty surrendered you were to break down under the weight of commercial ac-

quisition; they talk to you, indeed, as if for liberty surrendered you were to carry off an immense portion of English revenue; and one million a year in war, paid by England, in all distresses, was to glad and to console you, and much silly and empty sound of that kind was rung in your ears; but what is the fact, that the terms of the Union are aggravations of the Union, the principal conditions are heavy contributions. Your financial conditions are dangerous experiments, and both such as you are perfectly competent to make, provided you are disposed to do so much mischief to your country; the revenue, or the financial returns set out, with the surrender of an availing revenue of 100,000*l.* a year, arising from the export of the raw material and the import of the manufacture, that is the best possible revenue which a nation can continue, it adds, the creation of a deficit of 95,000*l.* a year, the interest to pay a loan of one million and a half, to be paid for the purchase of boroughs, that is, from one to two hundred thousand pounds a year, to be supplied by new taxes. The terms go on and propose a proportion of two to fifteen as the future contribution of Ireland; they do this without any data whatsoever which can warrant such a proposition. The data which are now before you, but which were not before you when you passed the resolution, and when that proposition was laid, are unintelligible to the gentlemen to whom that data is furnished. Their papers, for instance, state the value of the consumption of the country in certain articles, by which they affect to ascertain its opulence to be so much; and other papers, which are also before the House, state the value to be so much less. In the instance of tea, of tobacco, and some other articles, the value of the goods consumed is returned by one-third, in some cases by one-half, more than the value of the same kind of goods imported. The difference may be reconcileable, but it is not reconciled, and the House votes now the proportion of the contribution which is founded on those very papers, without waiting for, without demanding explanation. Suppose the cause, partly at least, of the apparent incongruity is, that in one set of papers they are valued subject to freight and tax, and in another set exempt from both. When the minister proceeds to value the ability of the country to pay taxes, he presents you with papers containing the value of the great articles, with the charge of freight and taxes embodied; but when he proceeds to state the balance of trade between England and Ireland, he presents papers in which the freight and tax are omitted: thus coals (it is one among other instances) are valued at the pit mouths, and thus an apparent balance of trade is created in your favour, about 800,000*l.* more than the fact; so that

by the double operation, you are over-rated in commerce, and over-rated in revenue. I say, therefore, that in fixing the proportion of relative contribution, as far as that proportion affected to found itself on the comparative consumption of the respective kingdoms, you had *no data*. When first you voted that proportion, by way of resolution, you had not even papers; the majority of this House took the word of the ministers, without papers or documents, and on that word voted a 20 years' contribution. Since you proceeded by way of bill, a member on this side of the House called for papers; the papers are returned incongruous and unexplained, and now you vote the data which you don't understand, as before you voted without any data whatever. I speak of the comparison on the articles of consumption; let us see whether you have better information on the comparison formed on the imports and exports. Here papers are submitted, but here the inland trade is omitted; it is calculated to amount in Britain to 120,000,000*l.* per annum; — here also the re-export trade is omitted. It is valued at 11,000,000*l.* per annum in Britain; in Ireland 133,000*l.*; in the year ending January, 1799, it is valued at 14,000,000*l.* in Britain. In the minister's calculation of national wealth, to ground a tax on national income, it was included, I apprehend, as a distinct substantive source of wealth; and, if it were just to comprehend it with a view to impose a tax, it is equally just to comprehend it with a view to ascertain a proportion: it is carried on by a distinct capital; it produces a distinct revenue; it is, by itself, a great trade; and it is almost the only one of some great commercial nations, — Holland for instance. It is a greater evidence, and greater source of wealth, to make other nations pay for your industry, added to that of other countries, than out of the fruits of your industry, to pay for the industry of those countries.

But without enquiring farther into this head, without enquiring whether it be just to proceed on an average of three years, when it appears from a document, almost published under the name of Mr. Rose, that the imports and exports of Britain, in the year 1798, were not 73,000,000*l.* but 80,000,000*l.*; and the re-export not 11,000,000*l.* but 14,000,000*l.*; while our trade is said to have declined, inasmuch as our revenue is said to have fallen 800,000*l.* Without enquiring into this, I say, that the papers before you prove your contribution to be unjust; they set forth the imports and exports of Britain, for the three years, to have been 73,000,000*l.*; on that they form the proportion of two to fifteen; now there should be added to that 73,000,000*l.*, 6,000,000*l.* per annum, which Britain receives from the Indies and from Ire-

land; 4,000,000*l.* from the former, and 800,000*l.* in interest for public money lent; and near 2,000,000*l.* in rent from the latter: this 2,000,000*l.* is to be taken from the imports and exports of Ireland, and to be added to those of Britain, which will make a proportion not of ten to seventy-three, but of about eight to seventy-nine: — thus it follows, that whatever difficulty you may have in pronouncing the proportion of contribution, you can have no difficulty in pronouncing that the contribution you have ascertained is unjust and fallacious; and you can discover its injustice and fallacy by the very papers on which you have formed it; those papers ascertaining the proportion you have voted, by the omission of 6,000,000*l.* of British annual income. Thus has this House, under the direction of the minister, overcharged this country in contribution; having no sufficient evidence to estimate its contribution, but having complete evidence to impeach that contribution which it now imposes. And what is this contribution? It is valued at about 4,300,000*l.* in war, in addition to the interest of your debt, which is 140,000*l.* per annum; that is, equal to the charge of your establishment, four times greater than any past war establishment; a charge equal to the support of 128,000 soldiers, which is near eight times as much as you paid in former wars; so that you are to multiply your charge for the loss of your Parliament; or rather, you are to pay the tribute of the slave; before this, you raised the supply of freemen; — a charge, I say, which, if for troops to be kept in the country, establishes a military government as complete as in Russia; and which, if for troops out of the country, will not leave you a guinea; which will, therefore, render you a slave, or a bankrupt; a military province of England, or a beggar — indeed both: for though I do not think the means of this country are unequal to every necessary expense, yet I do think they are inadequate to that contributory expense which the Union stipulates. I do think they are unequal to a war contribution of 4,800,000*l.* per annum; and I think the attempt will exhaust this country, at the same time that it enslaves her. Colour it as you please, she will pay more than she is able; and she will pay for a force, not to protect, but to enslave.

Do we know that the balance of our trade with all the world is but half a million in our favour, and that this half million is to supply the absentee drain of above two millions, which is to be greatly increased by the operation of the Union, by which we are to pay not only absentee representation, but absentee establishment? Do we know that even now, when we borrow about 3,000,000*l.* per annum from England, the exchange is greatly against us? Do we know,

that at this very moment, the revenue has fallen 800,000l. ? — a fall which could be only occasional, if your constitution were suffered to continue; but, if the Union and its new drain, contributions, discontents, military government, and military maxims shall succeed, is ominous and alarming. Knowing all these, what have we done? We have over-rated our country in wealth, to over-rate her in contribution; to apply that contribution to the maintenance of a military, to take away her liberty. I speak of the proposed war establishment. What is the proposed peace establishment? — one third greater than past peace establishments. Why one-third greater? — The increased pay of 15,000 men, the peace establishment of a militia of 17,000 men; the skeleton of the yeomen corps, will not account for an increase of one-third, viz. of half a million. — No ground whatever has been laid for it, except, indeed, a certain hint, that it may be expedient to mention. In peace, an army in Ireland of 20,000 — we understand that perfectly — an Union army — a military establishment in peace; and a rebellion establishment in war: in fact, an army not for the people of Ireland, but put upon them; not to protect them, but to protect the projects of the minister against them: 'tis true, it has been said, that England will pay this additional expense; but what is that? The English minister will make his country assist in the subjugation of the Irish by force of arms; there is no great compliment in this: but rely on it, that Ireland, like every enslaved country, will ultimately be compelled to pay for her own subjugation; robbery and taxes ever follow conquest; the country that loses her liberty, loses her revenues. But, if the terms of the financial part of the Union were as beneficial as they are injurious, it would be of little moment; for there is an article, that whenever the minister shall raise the debt of Ireland, to an amount which shall be as the proportion of two to fifteen in relation to the permanent debt of England, (in three years of war they tell you they will do it), then you are to be taxed as much as England. Considering then the terms of the Union, as far as they relate to revenue, they amount to a continuation of the double establishment, an increase of the separate establishments, and a military government, with a prospect of soon succeeding to the full taxes of England.

As to commerce, the terms are short and simple, — to abate those duties which you thought necessary for the protection of your manufactures; that's all! Are the manufacturers of glass, of iron-ware, — are the brewers, the hosiers, the sadlers, the manufacturers of cotton, obliged to you for that? Did

they petition Parliament for it? have they not petitioned Parliament against it? Who is it then that calls for it? The Irish manufacturer? No: — The Irish consumer? No: — The Irish Parliament? No: — Who then? The British minister, who does not indeed petition, but exacts it of the Irish Parliament; who, at the same time, are called on to surrender themselves, their power, and their being. All duties below ten per cent. to be taken off; all duties above it to be reduced to that standard for twenty years; and then to be abolished *in toto*. Callico is respited for a few years: Why do you deprive callico of the advantage of being unprotected for those few years? Why; but because it is of no advantage, but the contrary; and you have thought it a matter of mercy to let the persons engaged in that trade gradually withdraw. Here is the commercial benefit; the commerce which we are to get for our constitution; for you do not say, that it is a material privilege to be permitted to export to England our cotton and woollen cloth. Would it be a great privilege to permit England to export Burgundy into France? Even the privilege of importing wool, the British minister has told you, will be of no use to you; he is, I believe, right; there is nothing he gives, there is nothing in trade which he can give, that will be of any use to you. I do not pretend to decide, whether these advantages will prove the ruin of your manufacturers, but I do venture to decide, that they will not be of any use to them. Besides, what are the commercial terms? Such as you could give yourselves without an Union, if you did not think them mischievous; what, then, are the terms financial and commercial? The increase of your taxes of incumbrance, and the abatement of your duties of protection; a surrender, not a compensation; evidences of conquest; such terms as a nation must expect that surrenders her constitution.

From the bad terms which attend the Union, I am naturally led to the foul means by which it has been obtained — dismissals from office — perversion of the Place-bill — sale of peerage — purchase of boroughs — appointment of sheriffs, with a view to prevent the meetings of freemen and freeholders, for the purpose of expressing their opinions on the subject of a Legislative Union — in short, the most avowed corruption, threats, and stratagems, accompanied by martial law, to deprive a nation of her liberty; and so very great and beneficial have been the efforts, that His Majesty's ministers have actually resorted to a partial dissolution of Parliament, at the very time they declined to resort to a general election; the sense of Parliament and people was against them: they

change, therefore, the Parliament, without recurring to the people; but procure a number of returns, exceeding their present majority, from private boroughs, vacated with a view to return a court member, who should succeed a gentleman that would not vote for the Union; here, then, is a Parliament made by the minister, not the people; and made for the question. Under these circumstances, in opposition to the declared sense of the country, has been passed a measure, imposing on the people a new constitution, and subverting the old one.

The good consequences of this measure have been boldly prophesied; I own I see them not. Tranquillity arising from the suppression of Parliament; manufactures flourishing from the want of protection, these excellent consequences are, at best, but problematical; the ceasing of political topics with the ceasing of the assembly wherein they might be regularly, or decorously deliberated, is an expectation very pious perhaps, but very fond and very presumptuous. Do you seriously think that when you take away the forms of liberty, you take away the spirit of liberty? Do you think, for instance, that the Catholic will become insensible to the privileges of a free constitution, because a Protestant Parliament has renounced them? Do you think Protestant and Catholic will become insensible to the necessity of representation, because they lost their freedom by the want of it? Do you think that a minister, that any set of men in league with a minister, can, with the institution, sink, smother, and put out the very essence, soul, and light of liberty? It may be so; I do not believe it. Recollect again, that this tranquillity and this commerce predicted to follow the Union, are, at best, paradoxical and remote; but that the evil consequences predicted, are immediate and certain, namely the war contribution of near 5,000,000*l.* the diminution of your landed capital, the absence of your landed proprietors, the abatement of your protecting duties, the surrender of a solid revenue, the increase of your benefit by a borough loan, and the subversion of your constitution. Those gentlemen, who, for what they call tranquillity, and tranquillity in their speculations, are ready to sacrifice the labours, the honour, and the freedom of their country, may find that they have lost the liberty, but have not secured the repose. Let me add, that the most decided friends, who deserve respect, have not gone farther than to say, that its consequences cannot be foreseen.

The minister of Britain (Mr. Pitt) has spoken again in its favour. His first speech is a record of inanity; the merit of his second is, to have abandoned the defence of the first. The

inundation of capital from the increase of absentees, the visit of British manufacturers from the increase of taxes, the abatement of protecting duties, and the diminution of the number of consumers, civilization arising from the absence of the gentry, from the corruption of the higher orders, (never was minister more profligate), from the debasement of the lower order by the application of terror, civilization arising from the regular practices of administration to destroy public virtue, and to render the evils base and false of every order and degree. The political blessings arising from these causes, which overflowed in the first speech, have, in the minister's second speech, prudently and considerately, like any other folly of the day, vanished and evaporated. Argument seems to have taken a new post; tis no longer industry of the manufacturer, tis now a more pleasurable plan; luxury and consumer; such has been the turn of talk and trifling here. "England will furnish every thing for money; she will take your rent, and supply manufactures for your accommodation; what signifies which country supplies the article, since you are one people?" In the same way tis said, "what signifies the number of Irish representatives, since you are one people," and therefore let them be so few as to be merged in the representation of Great Britain? Again it is said, "what signifies where the army is quartered, whether in Britain or in Ireland, since you are one people," and therefore let the troops be in Ireland, and the manufactures be in Great Britain?

The advantages predicted in revenue, like those in commerce, vanish also; the magnificent million of the speech of the Irish Secretary, does not appear in the second oration of the British minister. He had indeed assumed a certain air of astonishment at the surmise, that Britain sought to obtain revenue from other countries. He suffered his minister here to go a little farther, and to teach us to think that England was impatient to get rid of revenue; that her turn now was to buy up constitutions; that she had become a chapman and dealer in liberty, and was willing to pay Ireland for her Parliament, half a million in peace, and one million per annum in war. I doubted the fact, for I had not forgotten the American war; I had not forgotten the American Stamp Act; I had not forgotten Mr. G. Grenville's pamphlet, containing a proposal to tax Ireland as well as America; I had not forgotten the proposal of the present minister of England, contained in one of the propositions of 1785; namely, that the surplus of the hereditary revenue should go to England: when, therefore, the same minister, in a state of tenfold distress, disclaimed revenue, and when the minister here averred that England was to pay a contribution to Ireland, I did not be-

Heve either; but when the former now disavows the latter, and, in his second speech, as printed, he is made to say, that Ireland is to pay pretty much what she does now; that is to say, not as the minister here said, a million less, but above four times as much as she paid in any former war, and many times as much as she is able; and such an expence as the rebellion, not the war produced;—I say, when the minister sets forth such, as our contribution hereafter, he does renounce all benefits predicted in finance; with as much candour as he abandons all benefits predicted in commerce, to result from his fatal measure of Union. His second speech, in short, deserts the boast of beneficial terms, and confines itself to errors and misrepresentations of another kind, which are there to be found in very great abundance. He sets forth that the Irish constitution is the cause of our misfortunes; his friends have stated the same thing, and have said, that they cannot administer the country on her revenues, or under her constitution; and such an argument in him and in them, is modestly urged to banish the Parliament, and to retain the ministry. Never was it known in a country that retained a trace of liberty, that a minister of the crown was suffered to *impeach* the constitution of the realm; suppose he were to say,—

“I cannot administer a monarchical constitution, therefore banish the King;” or, “I cannot administer an aristocratic constitution, therefore banish the House of Lords.” What, in fact, does the minister say, who uses this argument, but that his system was a grievance, as was predicted by part of his colleagues, who said they took office, to reform it; that it was not fit for a free people; that it would produce a civil war; that the public sale of honours, that his notorious attempts to pack Parliament, that the violence of some of his agents in this country, that his selection of persons for Irish affairs, who were rather panders than politicians, would aid the growth of French principles, and produce insurgency. Let us, however, give the minister every advantage; let us receive his charge and try the constitution. He will please to shew by what act she produced the rebellion; the mere co-existence of a constitution and a rebellion does not convict the former; it will be necessary for the accuser to specify facts, and it will be necessary for him to shew, first, that these facts sprung out of Parliament; second, that these facts produced the rebellion; his friends have advanced two facts, the Reform of Parliament, and the Emancipation of the Catholics; but it will be recollected, that Parliament was not the author of either of these questions, and it will be recollected also, that in the report of the two Houses, formed by the friends of the mi-

nister, it is declared, that neither of these questions were the cause of the rebellion — for there it is said, that neither of those questions were an object to the people; thus is the constitution acquitted; and acquitted by the very ministry who prefer the charge; they have confined their charge to two questions; and they have declared these questions did not interest the people; and these questions, it is known, did not spring from the Parliament.

They have affected to try the constitution, let us now try them; and I ask whether their own measures might not have caused the rebellion? Whether the sale of peerages, as notoriously took place in 1789 and 1790, by the then ministers of the crown, for the purpose of procuring seats in the Commons, for the dependants of the Castle, might not have destroyed in Ireland, the credit of British government?

I ask, whether the attempt to pack the Irish Parliament, as was notoriously practised in 89 and 90, by the then minister of the crown in Ireland, might not have sunk the credit of British Government? I ask, whether the profligate avowal of that profligate practice, by a profligate minister of the crown, might not have sunk the credit of British Government? I ask not, whether the introduction of the question of Parliamentary Reform, could have sunk the credit of British Government; but I do ask, whether the introduction, and the apostacy from that question, might not have helped to sink the credit of British Government? I ask, whether the introduction of the Catholic Question in Great Britain in 92; whether the opposition given to the Catholic Franchise, by the Irish Government in 92; whether the assent given to the petition for that Franchise, by the English ministry in 93; whether the abuse and Billingsgate accompanying that assent, and uttered by the Irish ministry at that time; whether the adoption of the pretensions of the Catholics, by the English ministry, at the close of 94; whether the rejection of those pretensions, and the recal of a Lord Lieutenant, because with the ministry's knowledge and acquiescence he honoured those pretensions; whether the selection of persons for distinguished trust, who had distinguished themselves by a perpetual abuse of the Irish, and who were notoriously hostile, and who since have acknowledged their hostility by a conspiracy against the parliamentary constitution of their country; I ask, I say, whether such a conduct, so incoherent, so irritating, so violent, so temporising, so corrupt, might not have very much aided the efforts of France, in sinking the character of British Government? I ask those questions, and I do say, if ever the causes of the late rebellion shall be dispassionately

discussed, the great, originating, and fundamental cause, will be found in the aversion of His Majesty's ministry to the independency of the Irish Parliament, and their efforts to subvert the same.

We follow the minister. In defence of his plan of union, he tells us the number of Irish representatives in the British Parliament is of little consequence: this doctrine is new, viz. that between two nations the comparative influence is of no moment. According to this, it would be of no moment what should be the number of the British Parliament. No, says the minister, the alteration is to be limited to the Irish Parliament, the number and fabric of the British is to remain entire, unaltered and unalterable. What now becomes of the argument of mutual and reciprocal change? or what does the new argument avow, but what we maintained, and the court denied, that the union was, with respect to Ireland, a merger of her Parliament in the legislature of the other, without creating any material alteration therein, save as far as it advanced the influence of the Crown direct or indirect.

The minister goes on, and supposes 100 Irish will be sufficient, because he supposes any number would be sufficient; and he supposes any number would be sufficient, because the nations are identified. Thus he speaks, as if identification was, at once, a cause to flow from representation, and an event which preceded it. You are one people, such is his argument, because you are represented, and what signifies how, or, indeed, whether you be represented; but the fact is, that you are identified (if you be identified, which I deny) in the single point of representation, and that representation is absorbed in the superior numbers of the English Parliament, and that apparent identification is, of course, lost, while you remain a distinct country, distinct in interest, revenue, law, finance, commerce, government. Suppose Yorkshire governed by a Lord-Lieutenant, and by a different code of law, she would not be a part of England, but a province of Great Britain; but now the martial law of Scotland must be the martial law of England, and therefore, the constitutional sympathy of England defends and renders the number of her representatives less essential; but the martial law of Ireland is not the martial law of England; the military government of Ireland is not the military government of England, and therefore the constitutional sympathy of England does not defend Ireland; but, on the contrary, the imperial jealousy of England endangers Ireland, and has taught the councils of Britain to think that our servitude is our safety.

"It is matter of no moment what are the number of Irish representatives, provided that they be sufficient to state the

wants, and watch over the interest of their country;" so do the public prints make the minister speak; why! three men are sufficient for that purpose, one man could do it — a gentleman seated at the bar could do it: the American agents did that before the American war, but the minister is made to add another provision, which makes his doctrine less answerable in point of meaning, leaving it without any meaning at all, "provided that the numbers be sufficient to protect the rights of the country:" but, indeed, when he afterwards explains what protection those rights are to receive, then he sets your mind at ease — protection against Jacobinism; that's the only point, and that could be accomplished without a single representative; without a parliament; an absolute monarch could do that; martial law will do that; James the second would have done it; but are there no popular rights? Is liberty gone out of the calendar? Order, government, they are indispensable, but are they the whole? This is new doctrine in these countries, very familiar to a minister, but very fatal to a free people. He confines the purposes of Irish representation to two objects; 1st. watching and stating, which only requires one representative; 2dly, protection against Jacobinism, which requires no representative whatever. He then proceeds to ask himself a question extremely natural after such reasoning; what security has Ireland? He answers, with great candour, honour. English honour. Now, when the liberty and security of one country depends on the honour of another, the latter may have much honour, but the former can have no liberty. To depend on the honour of another country, is to depend on the will; and to depend on the will of another country, is the definition of slavery. "Depend on my honour," said Charles the First, when he trifled about the petition of right: "I will trust the people with the custody of their own liberty, but I will trust no people with the custody of any liberty other than their own, whether that people be Rome, Athens, or Britain."

Observe how the minister speaks of that country which is to depend hereafter on British honour, which, in his present power is, in fact, his honour. "We had to contend with the leaders of the Protestants 'enemies to government;' the violent and inflamed spirit of the Catholics; the disappointed ambition of those who would ruin the country because they could not be the rulers of it;" behold the character he gives of the enemies of the Union, viz. of twenty-one counties convened at public meetings by due notice; of several other counties that have petitioned; of most of the great cities and towns, or indeed of almost all the Irish, save a very few mis-

taken men, and that body whom government could influence; thus the minister utters a national proscription at the moment of his projected Union, he excludes by personal abuse from the possibility of identification, all the enemies of the Union, all the friends of the Parliamentary constitution of 1782, that great body of the Irish he abuses them with a petulance more befitting one of his Irish ministers, than an exalted character, and infinitely more disgraceful to himself than to them; one would think one of his Irish railers had lent him their vulgar clarion, to bray at the people.

This union of Parliaments, this proscription of people, he follows by a declaration, wherein he misrepresents their sentiments as he had before traduced their reputation; after a calm and mature consideration, the people have pronounced their judgment in favor of an Union, of which assertion not one single syllable has any existence in fact, or in the appearance of fact, and I appeal to the petitions of twenty-one counties, publicly convened, and to the other petitions of other counties numerous signed, and to those of the great towns and cities. To affirm that the judgment of a nation is erroneous may mortify, but to affirm that her judgment *against* is *for*; to assert that she has said *aye* when she has pronounced *no* — to affect to refer a great question to the people; finding the sense of the people, like that of the Parliament, against the question, to force the question; to affirm the sense of the people to be *for* the question; to affirm that the question is persisted in, because the sense of the people is for it; to make the falsification of her sentiments the foundation of her ruin, and the ground of the Union; to affirm that her Parliament, constitution, liberty, honour, property, are taken away by her own authority, there is, in such artifice, an effrontery, a hardihood, an insensibility, that can best be answered by sensations of astonishment and disgust, excited on this occasion by the British minister, whether he speaks in gross and total ignorance of the truth, or in shameless and supreme contempt for it.

The constitution may be *for a time* so lost; the character of the country cannot be so lost, the ministers of the crown will, or may, perhaps, at length find that it is not so easy to put down for ever, an ancient and a respectable nation by abilities, however great, and by power and by corruption, however irresistible; liberty may repair her golden beams, and with redoubled heart animate the country; the cry of loyalty will not long continue against the principles of liberty; loyalty is a noble, a judicious, and a capacious principle; but in these countries loyalty, distinct from liberty, is corruption, not loyalty.

The cry of the connection will not, in the end, avail against the principles of liberty. Connection is a wise and a profound policy; but connection without an Irish Parliament, is connection without its own principle, without analogy of condition, without the pride of honour that should attend it; is innovation, is peril, is subjugation — not connection.

The cry of disaffection will not, in the end, avail against the principle of liberty.

Identification is a solid and imperial maxim, necessary for the preservation of freedom, necessary for that of empire; but, without union of hearts — with a separate government, and without a separate Parliament, identification is extinction, is dishonour, is conquest — not identification.

Yet I do not give up the country — I see her in a swoon, but she is not dead — though in her tomb she lies helpless, and motionless, still there is on her lips a spirit of life, and on her cheek a glow of beauty —

“Thou art not conquered; beauty’s ensign yet

“Is crimson in thy lips, and in thy cheeks,

“And death’s pale flag is not advanced there.”

While a plank of the vessel sticks together, I will not leave her — let the courtier present his flimsy sail, and carry the light bark of his faith, with every new breath of wind — I will remain anchored here — with fidelity to the fortunes of my country, faithful to her freedom, faithful to her fall.

Lord Castlereagh said that it was contrary to the practice of parliament to enter into the discussion of the measure in that stage of the proceedings; that the second reading would have been the proper time to make these objections. He said that he did not believe that the convulsions that were prophesied by the honourable gentleman would be likely to take place; that he did not apprehend rebellion would be one of the consequences of the measure, therefore he did not entertain much apprehension from the honourable gentleman’s prophecies on that subject. He censured the conduct of the gentlemen of the opposition as tending to inflame the country by their prophecies of future treason and rebellion.

Mr. May spoke in favour of the motion. It was opposed by Sir John Parnell, Mr. Plunkett, Mr. O’Donnell, and Mr. P. Burrows: they condemned the conduct of the noble lord, who, after an unbought majority of parliament had reprobated the measure of union, presumed with intemperate and ill-advised obstinacy to persevere in that measure, slighting the sense of the legislature, abusing the power he possessed, and practising against the virtue and independence of parliament, and thus in less than twelve months he returns, with a venal and packed majority at his back, to force that very measure against the unbought opinion of the parliament and the people. The conduct of such a man was in-

solent and audacious ; the bill was one of separation, it was a bill of robbery, it was a bill to put down the loyalty of the country and dismember the empire. The noble lord has talked in high sounding terms of the ease with which he will quell another insurrection, should this measure occasion one ; but little dependence can be placed on the prowess of the noble lord, for, while other men were displaying their courage and loyalty, the noble lord was lounging about the Castle, wickedly employed in plotting the destruction of his country.

Mr. Plunkett said that he reflected on the part which he had taken in opposing this measure as the proudest honour of his life ; it was that by which he would wish to be remembered by posterity, it was an inheritance he would be glad to transmit to his children. The recollection of the part he had taken, in common with the 120 honest men who had with incorruptible steadiness defended the liberty of their country against the machinations of the minister, would soothe him to the last moment of his existence.

Mr. Peter Burrowes denied the competence of parliament to pass the measure, in support of which doctrine he entered into an able and eloquent statement, and concluded in the following manner.

" I feel but little any portion of the noble lord's (Castlereagh) obloquy which may attach to me or my humble efforts, but I own I cannot repress my indignation at the audacious boldness of the calumny, which would asperse one of the most exalted characters which any nation ever produced, and that in a country which owes its liberties and its greatness to the energy of his exertions, and in the very house which has so often been the theatre of his glorious labours and splendid achievements. I remember that man the theme of universal panegyric, the wonder and the boast of Ireland for his genius and virtue ; his name silenced the sceptic upon the reality of genuine patriotism ; to doubt the purity of his motives was a heresy which no tongue dared to utter, envy was lost in admiration, and even those whose crimes he scourged blended exalted praises with the murmurs of resentment. He covered our unfledged constitution with the ample wings of his talents, as the eagle covers her young, like her he soared, and like her he could behold the rays, whether of royal favour or royal anger, with undazzled, unintimidated eye. If, according to Demosthenes, to grow with the growth and to decay with the decline of our country be the true criterion of a good citizen, how infinitely did this man, even in the moment of his lowest depression, surpass those upstart patriots, who only become visible when their country vanishes.

" Sir, there is something most singularly curious, and, according to my estimation of things, enviable in the fate of this great man. His character and his consequence are, as it were, vitally interwoven with the greatness of his country ; the one cannot be high and the other low, the one cannot stand and the other perish. This was so well understood by those who have so long meditated to put down the constitution of Ireland, that feeling that they could not seduce, they have incessantly laboured to calumniate,

her most vigilant centinel and ablest champion. They appealed to every unguarded prejudice, to every assailable weakness of a generous but credulous people, they watched every favourable moment of irritation or of terror to pour in the detested poison of calumny.

"Sir, it will be found, on a retrospect of Ireland since 1782, that her liberties never received a wound, that a correspondent stab was not levelled at his character, and when it was vainly hoped that his imperishable fame was laid in the dust, the times were deemed ripe for the extinction of our constitution.

"Sir, these impious labours cannot finally succeed; glory and liberty are not easily effaced, Grattan and the constitution will survive the storm."

The House divided on the question that the bill be committed; Ayes 118, Noes 73; Majority 45.

Tellers for the Ayes, The Chancellor of the Exchequer and Mr. May.

Noes, Sir Lawrence Parsons and Mr. Plunkett.

Lord Castlereagh then moved that the bill should be committed on the 30th. It was opposed by Mr. Grattan, who objected to the motion.

He should not, he said, pay much attention to the desire which the noble lord had expressed, that this measure should not be discussed; the Parliament still existed, and, as an independent member of Parliament, he would deliver his opinion. The noble lord had rested his defence of the bill on two grounds, for neither of which there was any foundation: the first was, that the opinion of the people was in favour of that measure, an assertion the very reverse of which was known to be the fact; and, secondly, the noble lord had talked of his (Mr. Grattan's) prophetic treasons. In saying this, the noble lord, if he applied that to him, had obliquely uttered a most palpable untruth. If the noble lord had been a settled statesman he would have been inexcusable; his youth is his excuse: therefore he thus rebuked the noble lord with the forbearance which puerility called for, but still with the severity which presumption deserved. He should again claim the freedom of debate, and should upon every occasion state his sentiments upon this subject, as freely as he had ever done. He concluded with moving, "to substitute the first of August instead of Friday next."

Lord Castlereagh said, he never would so far forget what was due to himself and to the House, as to enter into a personal altercation with any gentleman. The honourable gentleman had been pleased to pronounce an invective against him. He was ready to admit that his public life was open to the comment of every gentleman who might examine, and, if he thought proper, condemn it. With respect to the language in which the honourable gentle-

man had thought proper to deny his statement, he should only observe that there was a kind of parliamentary mode of manifesting spirit, by denying in strong terms that which had never been uttered. If any incivility ever should be used to him in Parliament, it was not in Parliament he would reply to it: he had seen the unpleasant situation in which that House had been placed by being obliged to interfere between gentlemen — that was a situation in which they never should be placed by him.

The House then divided on Mr. Grattan's amendment; — Ayes 87, Noes 124; Majority against the postponement 37.

Tellers for the Ayes, Mr. Plunkett and Mr. O'Donnell.

Noes, Mr. May and Mr. Robert Johnson.

UNION.

PROTEST AGAINST THE UNION.

June 6. 1800.

ON this day Lord Corry, with a view to leave on record the sentiments of the people of Ireland against the Union, moved the following address to His Majesty, which, as it contains the principal objections made by the leaders of the opposition to this measure during the course of the session, has been thought worthy to insert.

“ We, Your Majesty's loyal and dutiful subjects, the Commons of Ireland, at all times sensible of the numerous and essential advantages which we, in common with your subjects in Ireland, have derived under your auspicious reign, beg leave to assure you that none have more impressed the hearts of Your Majesty's subjects than the adjustment at Your Majesty's gracious recommendation entered into by the Parliament of Great Britain and Ireland in 1782, thereby forming the most solemn compact which can subsist between two countries under a common sovereign; that the result of that compact and adjustment was the encrease of our trade and of our revenue, together with the harmony of the two Parliaments and the support of the connection; that the said compact on the part of Your Majesty's Parliament of Ireland has been religiously and beneficially adhered to, insomuch that a final termination of all constitutional questions between the two nations took place, and the commercial points which at that time remained to be settled, have since, without agitation or ferment, been gradually and satisfactorily disposed of.

“ That under these circumstances it is with the deepest concern and the greatest surprise we have seen a measure propounded, under the name of Union, to set aside this most important and sacred covenant, to deprive this country of her Parliament in time to

come, and in lieu thereof to introduce an innovation consisting of a separate Irish government without an Irish Parliament, whose power is to be transferred to a British Parliament without an availing Irish representation therein, an innovation such as may impair and corrupt the constitution of Britain without preserving the liberties of Ireland, so that this country shall be in time to come taxed without being duly represented and legislated for by a body out of the realm, incapable of applying proper remedies, and remote from the means of knowing her wants, her wishes and her interests.

“ That giving the name of union to the measure is a delusion; the two kingdoms are already united to each other in one common empire, one in unity of interest and unity of constitution, as has been emphatically pronounced from the throne by Your Majesty's former viceroy, bound together by law, and what is more effectual than law, by mutual interest, mutual affection and mutual duty, to promote the common prosperity of the empire, and it is our glory and our happiness that we form an inseparable part of it.

“ That this Union has stood the test of ages, unbroke by the many foreign wars, civil commotions and rebellions which have assailed it, and we dread the rash and desperate innovation which now would wantonly and unnecessarily put it to the hazard, an innovation which does not affect to strengthen the unalterable interest of each country in supporting the revolution that placed Your Majesty's illustrious family on the throne, for that interest cannot be increased by any law; it is implanted in our hearts, it is interwoven with our prosperity, it grows with our growth, and strengthens with our strength.

“ Neither does it profess to create an interest in either country to preserve their connection together, because that interest already exists, and we know and feel that such connection includes all that is dear to us, and is essential to the common happiness and to the existence of both nations.

“ We therefore do, with all humility, implore Your Majesty's protection of that glorious revolution, and of that essential connection against the perseverance of Your Majesty's ministers in their endeavours to force this ruinous measure.

“ Their avowed object is a Union of the two nations, but the only union they attempt is a union of the two Parliaments, and the articles which are to attend their partial and defective union, are all so many enumerations of existing distinct interests in the two kingdoms, which it cannot identify, and which require separate Parliaments resident in each, duly to attend them.

“ In respect to Taxes, the purse of each nation is vested in its own House of Commons by the principles of the constitution; the security of our liberty, and the great constitutional balance of the powers of the State, lie in its being left there; but the articles acknowledge a separate purse, and a separate interest in that purse, by providing for a separate proportion of expence, separate modes and laws of taxation, separate debts, separate sinking funds, separate treasury, separate exchequer, separate accounts of re-

venue to be kept, and separate articles of produce to be placed in the way of debtor and creditor between the two kingdoms, as between two unconnected parties, and though they state, acknowledge, and attempt to form regulations for all these many distinct interests, which no laws can identify or consolidate, and, though even the legal interest of money remains different in the two kingdoms without their attempting to assimilate it, yet they take away the *Irish* Parliament, which these distinctnesses ought rather to have suggested the creation of, if it did not exist, and they lay the foundation of distress, discontent, and jealousies in this kingdom, if not of worse evils, and tend to familiarise ideas of separation instead of union, to the utter ruin of this your ancient kingdom, and your loyal subjects therein.

"In regard to manufactures, they acknowledge the interests in them to be so distinct, that they are forced to provide, in express terms, against a free intercourse being allowed between the two kingdoms, in more than twenty general denominations, and they establish countervailing duties on the mutual import of at least twenty-four species of goods, on account of the necessary difference in taxation and the distinctness of revenue, which, from the separate interests of the two kingdoms in them, will not admit of consolidation.

"On the mutual interchange of corn, that great necessary of life, they not only continue duties, but they provide for retaining prohibitions and bounties, and instead of even alledging an identity of interest in so important and general an article, they avow such separate interests to exist in it as law cannot remove; and an interdict is necessary to be laid on its free communication between two kingdoms, while Your Majesty's ministers have at the same time the hardness to tell us, their project is to unite, identify and consolidate, throughout all their interests.

"We see with them that these interests are distinct, and we therefore raise up our voices to Your Majesty against their impracticable attempt to consolidate them; an attempt which they themselves acknowledge to be so by their many provisions, all intended to secure a continuance of their distinctness.

"But however separate these interests are in taxes, in revenue, in trade, and in manufactures, and, however incapable of being identified, we have the happiness of knowing, that in the great point of constitution, no difference exists; both nations have a full right to all the blessings of the British constitution, and we have an identity, not a distinctness of interest, in the possession of it; yet such is the strange passion of Your Majesty's ministers for innovation, that not finding any such distinctness, they do, by these articles, create several highly alarming to us, and to all Your Majesty's subjects of this kingdom, who claim an equal right with Great Britain in the full and free enjoyment of that constitution.

"All the Irish Temporal Lords, except twenty-eight, are to be incapacitated by this measure from exercising their rights and duties as peers and hereditary counsellors, while every British Temporal Lord is to retain his full functions.

“ Four Spiritual Lords only are to have a share in the legislature, while all the British Spiritual Lords are to continue theirs, and two-thirds of the Irish commoners are to be disqualified, while every British commoner remains.

“ The articles further declare, that all Irish peerages shall be considered as peerages of the United Kingdom, whereby the Irish peers who are to be incapacitated from legislating as peers are to continue peers, and may legislate as commoners, against every known principle and established practice of the constitution; nay even when chosen commoners they are not to represent any place in Ireland, the country from whence they derive their honours, although their voices as commoners will extend equally with that of every other commoner to all the concerns of this kingdom; and thus the Irish purse will be eventually put into the hands of the Irish peerage, in direct defiance of a great and fundamental principle of the Constitution.

“ All these degrading, dangerous, and unconstitutional distinctions are not only created in the Irish peerage, but are to remain for ever without power of alteration, by a provision being made in the articles for a constant creation of peers for Ireland.

“ That the Irish peerage is to be kept for ever a distinct body from the British, though the project professes a union of the two kingdoms of Britain and Ireland, and attempts a union of the two Parliaments, of which the peerage is a constituent part; and this continuance of a separate Irish peerage, stripped as it will be of all parliamentary function, perpetuates a distinction insulting and degrading to this kingdom, which our ministers, if they had solely in view, without any regard to influence, a lasting union of the Parliaments, to which this continuance no way contributes, would have avoided by providing that the Irish peers, when reduced to the proposed number of twenty-eight, should be declared peers of the United Empire equally with the British, and thus would have dissolved all national distinctions between them for the time to come.

“ But it is not in trade, revenue and manufactures only, that distinct interests are declared to exist, nor in constitution alone that separate interests are to be created: the same distinctness is to be preserved in the administration of justice, every difference of law, every variation of practice and of regulation which now prevails is to be allowed to distinguish the civil and ecclesiastical courts, with this one exception only, that in the ultimate appeal, every Irish suitor is to be again at the expense and hazard of going to Westminster, instead of having a court in Dublin to resort to.

“ We enlarge the more on these several enumerations of separate interests, avowed or created by Your Majesty's ministers, because the many provisions they propose for their future regulation are so many acknowledgments, that no force of law can identify them, so as to admit of their consolidation; provisions all in themselves presumptuous and insufficient, inasmuch as it is not in the power of human wisdom to foresee the events of time, and provide now, by a system declared immutable, for the varying changes which must naturally take place in the lapse of years.

“Under the same conviction, though they profess a union of the two Parliaments, they do not attempt to form out of them one with equal and common powers for both kingdoms; it is to be free in all its functions in respect to Britain, but shackled and bound up by restrictions as to Ireland.

“In this they deprive Your Majesty’s Irish subjects of a Parliament, such only as the British Constitution acknowledges, free in its deliberations for every part of the empire it is to legislate for; such as we have a right to enjoy, equally unrestrained in its powers and unfettered in its proceedings as to the interests of this Your Majesty’s kingdom; and such a one, free and independent in all its functions, as we solemnly claimed to be our birthright in 1782, and as Your Majesty, in your wisdom and justice, did then graciously confirm to this kingdom for ever, but which claim and gracious confirmation your ministers now seek to take away from the kingdom for ever.

“That having thus shewn to Your Majesty how very inefficient the project of Your Ministers is to answer even the purpose it avows, and how very ruinous its operations must be, if you shall not be graciously pleased to interfere, we feel it our further duty to expose fully to Your Majesty’s view, not only the artful delusions which those ministers have presumed to hold out of supposed advantages in commerce, in revenue, in taxes, and in manufactures, to deceive the people into an approbation of their Scheme, but the corrupt and unconstitutional means which they have used, the undue manner in which they have employed the influence of the Crown, and the misrepresentations which they have made of the sense of Your Majesty’s people of Ireland on the measure.

“Were all the advantages, which without any foundation they have declared that this measure offers, to be its instant and immediate consequence, we do not hesitate to say expressly, that we could not harbour the thought of accepting them in exchange for our Parliament, or that we could, or would, barter our freedom for commerce, or our constitution for revenue; but the offers are mere impositions, and we state with the firmest confidence, that in commerce or trade their measure confirms no one advantage, nor can it confer any; for by Your Majesty’s gracious and paternal attention to this your ancient realm of Ireland, every restriction under which its commerce laboured has been removed during Your Majesty’s auspicious reign, and we are now as free to trade to all the world as Britain is.

“In manufactures any attempt it makes, to offer any benefit which we do not now enjoy, is vain and delusive; and, wherever it is to have effect, that effect will be to our injury. Most of the duties on import, which operate as protections to our manufactures are, under its provisions, either to be removed or reduced immediately; and those which will be reduced, are to cease entirely at a limited time; though many of our manufactures owe their existence to the protection of those duties; and though it is not in the power of human wisdom to foresee any precise time when they may be able to thrive without them.

“ Your Majesty’s faithful Commons feel more than an ordinary interest in laying this fact before you ; because they have, under Your Majesty’s approbation, raised up and nursed many of those manufactures, and by so doing, have encouraged much capital to be vested in them ; the proprietors of which, are now to be left unprotected, and to be deprived of the Parliament on whose faith they embarked themselves, their families, and properties, in the undertaking.

“ In revenue we shall not only lose the amount of the duties which are thus to be removed or lowered, and which the papers, laid before us by the Lord-lieutenant, shew to amount to the immediate annual sum of 50,000*l.*, but we shall be deprived of nearly as much more by the annihilation of various export duties, which have subsisted for above a century, on other articles of intercourse, without being felt or complained of by us ; and this whole revenue of 50,000*l.*, which operated beneficially to our manufacture, and of near 50,000*l.* more, which oppressed no manufacture, is to be wantonly given up without the desire or wish of either nation, at a time when our income is more than ever unequal to our expenses, and when the difficulty of raising new taxes to supply its place, is alarmingly increased, by our having been obliged, in this very session, to impose new burthens to the estimated amount of 300,000*l.* a year ; and we cannot but remark, that in this arrangement, while we give up this revenue of near 100,000*l.* a year, Great Britain is to give up one, not amounting quite to 40,000*l.* ; an inequality no way consonant with the impartiality or justice professed by Your Majesty’s ministers, nor anywise consistent with the comparative abilities of the two countries to replace the loss.

“ But the imposition of Your Majesty’s ministers is still more glaring, in their having presumed to fix a proportion of contribution towards the general future expenses to be observed by the two kingdoms, in the ratio of one part by Ireland, for every seven parts and a half by Britain.

“ If they had any plausible grounds, whereon they calculated this proportion, they have not deigned to lay them before Your Parliament ; and the usual and established forms of committees to investigate into matters of such intricate and extended calculation, have been superseded by them.

“ Your Majesty’s faithful Commons are satisfied that the calculation is extremely erroneous ; and, that on a just and fair enquiry into the comparative means of each country, this kingdom ought not, and is not able, to contribute in any thing like that proportion.

“ They feel it a duty too, to protest, most solemnly, against any arrangement of taxation, on which they have had no documents, or made any enquiry, to guide their judgment, and in which, they understand, no consideration, whatever, has been had to the different legal interest of money in this kingdom, which causes a disadvantage of 20*l.* per cent. in procuring capital ; nor to the relative quantity of shipping possessed and used by each country,

nor to the export trade in foreign articles ; nor to the extent of manufacture for home consumption ; nor to the balance of trade, which shews the annual increase of its clear profit, and, of course, the annual increase of the fund, it creates to contribute from ; in all of which, the means of Britain very far exceed the foregoing proportion, and particularly in the balance of trade, which in Ireland, amounts to little more than half a million with all the world ; but, is stated by authority, to have amounted to 14,800,000*l.* in Britain ; exclusive of an annual influx of money from the East and West Indies, to the amount of four millions, to the proprietors resident in Britain ; and of two millions from Ireland, to the proprietors of Irish estates resident there ; and of another million from Ireland, for the charges of her debt due in Britain ; whereas the only known or visible influx of money into Ireland, is the above balance of trade of half a million only ; and these two sums, of two millions and one million, while they add to the wealth and means of Britain, unfortunately take away, in the same amount, from the ability of Ireland.

" Thus had a due investigation been made, and a fair enquiry gone into, with a view to obtain a true knowledge of facts whereon to ground a just calculation, it would have appeared that this proportion for Ireland is not only unjust, but far beyond what it will be in her power to discharge ; and the rashness of Your Majesty's ministers in hazarding such a measure is the more to be lamented or wondered at, because should Ireland engage to pay more than she is able to answer, the necessary consequence must be a rapid decrease of her capital, the decline of her trade, a failure in the produce of her taxes, and, in the end, her total bankruptcy ; but under such circumstances she cannot be alone a bankrupt, and should she fatally become so, by an injudicious or avaricious apportionment of constitution, Great Britain must share in her ruin, and our great and glorious empire be brought to the brink of destruction, by an innovating attempt to take from Ireland its constitution, and substitute a theoretic, visionary, and untried system in its room.

" We should therefore earnestly supplicate Your Majesty to oblige your ministers to defer the measure, until a full and satisfactory investigation should be made, if we did not feel that it ought to be entirely relinquished, and that the injuries and dangers attending on it could not be removed by any change of that proportion, or reconciled by any modification of detail whatsoever.

" Subordinate, however, as the consideration of it is, we cannot omit remarking to Your Majesty that there is cunningly and insidiously annexed to it a provision for its ceasing, even within the short period of three years, should the war continue so long ; and that when we shall increase our debt so as that it shall bear the like proportion to the permanent debt of Britain, all the delusive benefit held out by this proportion is to cease, and we are to undergo common taxes with Britain.

" We lament that such delusion should be resorted to ; it is too palpable not to be seen, and instead of the confidence which ought

to attend every arrangement between the kingdoms, such conduct must excite diffidence and distrust.

“ This proportion of their respective permanent debts is to be attained by increasing our debt, which we must do, and by Britain lessening her's, which she is in the actual course of reducing, as rapidly, at least, as that of Ireland increases; the absurdity, therefore, of the position, is self-evident, for it says, that Ireland, by increasing her debt and its annual charges, will become more wealthy and more able to bear equal taxes with Britain; but that Britain by decreasing her's will be less able to pay her contribution, and can only pay equal taxes.

“ Another delusion (omitted however in the articles proposed) has been also plausibly offered, still further to deceive Your Majesty's subjects of Ireland into an approbation of this destructive measure, and a promise has been authoritatively announced, or artfully insinuated, by Your ministers in this kingdom, that Ireland is to save by it, or that Great Britain is to give her a million a year of revenue in time of war, and half a million a year in time of peace.

“ But we know, that during a war like the present, such a promise is impracticable, and both kingdoms must strain every nerve, and draw forth every resource. We seek not to load our sister kingdom unnecessarily, by lessening our own burden; and our loyalty forbids us to listen to arguments which offer to save our purse at the expense of Britain; but it is all a delusion, for we see nothing in the uniting the two Parliaments, which can change the course of the war, or lessen the total mass of expense of both nations; and we assert, most confidently, that no gift can be made, or saving ensue in our expenses, by the Union, however they may be attempted to be increased by the unfounded and unfair proportion ascertained for us to bear of the general expenditure; but were the offer founded, were it effectual and desirable, its advantages rest on the misfortunes of war, and we should feel ourselves unworthy of the trust reposed in us, if we could suffer a hope, arising from the continuation of such a dreadful calamity, to direct our conduct in any measure, much less in one which calls on us to give up our constitution for ever.

“ Neither can we look forward to any proposed saving from the union in peace, for we are not told, nor could we believe it, if Your Majesty's ministers did tell us, that a bill professing to unite the two kingdoms, inseparably united without a bill, can have an influence on the situation of the affairs of Europe, or that it can allow us, during the next peace, to dispense with keeping up the same military force as during the last; and we are further given to understand, that Your Majesty's royal court, and all its establishments, the courts of law, the exchequer, and all the revenue expences are to be continued without the Parliament equally as with it; but were the saving practicable, we feel it is our own duty to make it without a Union, and we know that no Parliament can do it for Ireland, with the same knowledge, the same efficacy, and the same safety as the resident Parliament of Ireland.

" But it is not only in respect to these delusions held out as to trade and revenue that we feel it our duty to lay before Your Majesty the conduct of Your ministers on this measure; we must state the means by which they have endeavoured to carry it. That in the first instance, admitting the necessity of conforming to the sense of the Parliament and the people, they took the sense of the Commons, and found that sense to be against it; that they then affected to appeal against the Parliament to the people, at the same time endeavouring, by their choice of sheriffs, to obstruct the regular and constitutional mode whereby the sense of the people has been usually collected; that on the contrary, they did use or abet and encourage the using of various arts and stratagems to procure from individuals of the lowest order, some of whom were their prisoners and felons, scandalous signatures against the constitution; that notwithstanding these attempts to procure a fallacious appearance of strength and muster against Parliament, the people have expressed their sentiments decidedly against the union, and twenty-one counties at public meetings legally convened, and also many other counties by petitions signed by the freeholders, and many cities and towns, have expressed, either to Your Majesty or to this House, or to both, their decided and unalterable hostility to this union, yet your ministers have, as we believe, taken upon them to state to Your Majesty and your ministers in Britain, in defiance of all these facts, that the sense of the nation is not adverse to the measure; that if there could be any doubt that Your Majesty's ministers in the appointment of sheriffs did consider how they might obstruct the people in delivering their opinion regarding the union, that doubt is fully explained by their continuing in office the sheriff of the former year in more than one instance, whence it also appears how decidedly the sense of the country is against this measure, when Your Majesty's ministers found it difficult to procure any person to serve the office of sheriff who was properly qualified, and was also a friend to the measure; that finding the sense of the people as well as the Parliament to be against it, Your Majesty's ministers attempted to change the Parliament itself, and refusing to take the sense of the nation by a general election, they procured a partial dissolution, and did so publicly abuse the disqualifying clause in the place bill (which was enacted for the express purpose of preserving the freedom and independence of Parliament,) that by vacating seats under its authority, very many new returns were made to this House, for the purpose of carrying it, and thus did they change the Parliament without resorting to the people; that before the ministry had perverted the place bill, the sense of Parliament was against their union, and if that bill had not been so perverted, that sense had remained unaltered; that of those who voted for the union, we beg leave to inform Your Majesty, that seventy-six had places or pensions under the Crown, and others were under the immediate influence of constituents who held great offices under the Crown; that the practices of influence above mentioned were accompanied by the removal from office of various servants of the

crown who had seats in Parliament, particularly the Chancellor of the Exchequer, the Prime Serjeant, three Commissioners of the Revenue, a Commissioner of Accounts, a Commissioner of Barracks, and the Cursitor of the Court of Chancery, because they would not vote away the Parliament; also by their withdrawing their confidence from others of Your Majesty's faithful and able Counsellors for the same reason; that they procured or encouraged the purchase of seats in this House, to return members to vote for the Union, also the introduction of persons unconnected with this country to vote away her Parliament; that they have also attempted to prostitute the peerage, by promising to persons, not even commoners in Parliament, her sacred honours, if they would come into this House and vote for the Union; and that, finally, they have annexed to their plan of Union an artful device, whereby a million and a half of money is to be given to private persons possessing returns, who are to receive said sum on the event of the Union, for the carrying of which, to such an amount said persons are to be paid; and this nation is to make good the sale by which she is thus disinherited of her Parliament, and is to be taxed for ever to raise the whole amount, although if your ministers shall persevere in such a flagrant, unconstitutional scheme, and the money is to be raised, it is for the Union, and being therefore an imperial concern ought to be borne in the proportion already laid down for imperial expenses, that is, two seventeenths by Ireland, and fifteen seventeenths by Britain; that under these unconstitutional circumstances Your Majesty's ministers have endeavoured, against the declared sense of the people, to impose upon them a new constitution, subverting the old one.

"That when we consider the peculiar situation of this kingdom, with the annual drains of money from it by persons possessing property in it who do not reside, to the estimated amount of at least two millions annually; when we advert to the further inevitable drain of a million a year by the public revenue, to be remitted to Britain for the annual charges of our public debt, and that to countervail these great and tremendous issues of money, amounting to three millions, we have only our general balance of trade, not 600,000*l.* a year, to set against them, we look with dread at a measure which must, on the one hand, necessarily add to those drains, by adding a new and large portion of our wealthiest fellow-subjects to the present absentees, and which must, on the other hand, decrease that balance, by encouraging and promoting new imports of manufacture in the room of those which will decline here.

"We look to it with the more dread, because, notwithstanding the great loans from England, to the amount of six millions in the last three years, we have not been able to counterbalance the existing drains from hence, and the exchange has been, and still continues, regularly and uniformly against us.

"And further, because our inability to raise the necessary loans within this kingdom, even to the small extent that has been expected, is unfortunately now too evident, and the continuing to

supply our treasury by loans from Britain, though it may afford some temporary relief, will regularly increase the evil.

“Your Majesty’s ministers, therefore, if they promise to themselves, or to the British nation, any easement to their own taxes from the supposed accession of power over our wealth and over our resources, will find themselves most thoroughly disappointed; and if the difficulty of remittance shall increase, the manufacturers of Britain, who have hitherto supplied this kingdom, will find the demand for their goods decrease in proportion as that difficulty shall rise.

“That we understand one benefit which they hold out from the proposed measure is, what your ministers affect to call tranquillizing Ireland, but that when we look to our Parliament, and see with what efficacy and promptness it has contributed to put down the late unfortunate rebellion, how inadequate a Parliament not resident would have been; when we reflect, that in a kingdom containing four and a half millions of people, a resident Parliament must possess the quick and authoritative means of giving energy to the executive which a Parliament in another country cannot have; that the removing the Parliament tends to remove with it from the kingdom those men of large property and influence, of talents and respectability, whose presence is at all times essential to tranquillity, and may, at some conjuncture, be alone capable of preserving it; that their absence will leave room for political agitators and men of talents, without principle or property, to disturb and irritate the public mind; we tremble for the consequences of a measure at once the most rash and unnecessary that ever was brought forward by any ministers, and at a time most fitted to produce every evil dreaded, and least fitted to promote any one benefit held forth.

“That when we consider the time chosen to introduce such a measure, we feel additional repugnance, it being the moment of our weakness and distress, when the country is of course less free to deliver its full and heartfelt sentiments against the illiberality of such an attempt; peculiarly mortifying to those, Your Majesty’s subjects, who had recently exerted themselves in defence of that constitution which they are now called upon to surrender; and, at a time too, when the spirit of innovation is abroad, and likely to be much encouraged by the example of Your Majesty’s ministers in this their proceeding against the ancient liberties of the people, who may be rendered an unprofitable or dangerous part of the British empire, whether, in consequence of this Union, they become slavish and abject, or restless and dissatisfied.

“That when we reflect on the great value of the acts for trying controverted elections, how eminently and effectually they have been framed for preserving the purity of election, without which the purity of Parliament cannot exist; and when we see that your ministers, well knowing the value we set on them, have proposed various means to continue those benefits to us in the few elections which will remain to be held here after the Union, and have withdrawn them all, from their inefficacy and insufficiency,

almost as soon as they were proposed, and have now abandoned all hope of framing any; we foresee and dread the formidable power which the measure of the Union will give to the minister in all Irish elections, by destroying the beneficial operation of these acts; for the expense, trouble, and delay, of trying controverted Irish elections in London, will deter many candidates, entitled to be returned, from seeking redress; the sheriffs, who are all appointed by the minister, will, in fact, nominate the members; and many of them having already obeyed the wishes of the minister, in endeavouring to stifle the constitutional voice of the people, give us too sure an omen of the conduct which may be expected from them in elections.

“ That whether we rest on this incontrovertible and self-evident truth, that no Parliament in another kingdom can have the local information or knowledge of the manners, habits, wants, or wishes of the nation, which its own Parliament naturally possesses, and which is requisite for beneficial legislation; nor can be supplied with the necessary information, either as promptly or accurately; or whether we look to the clear proofs of that truth, which the progress of this measure has afforded, by your ministers having called to their assistance, in London, the great officers of this kingdom, most likely, from their station, to give full information for framing their measure; and though all their talents, and all their own information, and what they obtained by letters while it was pending, were employed for months there, yet, when they brought it back, a few hours', or rather a few minutes' enquiry on the spot, in Dublin, forced them to alter their project in very many articles, complete and perfect as they thought it. We have strong additional reason to feel and to represent the manifest and irreparable injuries which this kingdom must sustain by the want of a resident Parliament, and the impossibility of legislation being carried on for it as it ought to be.

“ Therefore, inasmuch as the measure of an Union is an unnecessary innovation, and innovations, at all times hazardous, are rendered peculiarly so now by the awful situation of the times;

“ Inasmuch too, as far from being an innocent experiment, it is replete with changes injurious to our trade and manufactures, and our revenues;

“ Inasmuch also, as it destroys our constitution which has worked well, and substitutes a new one, the benefits of which we cannot see, but the numerous evil and dangers of which are apparent, and which, in every change it offers, militates against some known and established principle of the British constitution;

“ Inasmuch, also, as it so far endangers the constitution of Britain as not to leave us the certainty of enjoying a free constitution there when our own shall be destroyed;

“ Inasmuch as it tends to impoverish and subjugate Ireland, without giving wealth or strength to Britain;

“ Inasmuch as it tends to raise and perpetuate discontent and jealousies, to create new and strengthen old distinctnesses of in-

terests in our concerns of trade, manufactures, revenue, and constitution; and instead of increasing the connection between the two kingdoms, may tend to their separation, to our consequent ruin, and to the destruction or dismemberment of the empire;

“Inasmuch as it endangers, instead of promoting or securing the tranquillity of Ireland, as it degrades the national pride and character, debases its rank from a kingdom to that of a dependant province, yet leaves us every expense and mark of a kingdom but the great essential one of a parliament;

“Inasmuch as it has been proposed and hitherto carried against the decided and expressed sense of the people, notwithstanding the improper means resorted to to prevent that sense being declared, and to misrepresent it when known;

“Inasmuch as it is not grounded in all its intricate and momentous parts on that solemn and full investigation which ought to attend every measure of great moment, and has been introduced and conducted with various delusions and impositions, and with an unbecoming and suspicious haste;

“Inasmuch as it provides for sending one hundred of the present representatives to legislate in another kingdom, though elected only to sit in the parliament in this, and does not give the people an opportunity, by a new election, to exercise their discretion in a new choice of persons for such a new, altered, and increased trust;

“Inasmuch as it leaves to be determined by the chance of drawing lots the choice of thirty-two members to represent as many great cities and towns with a levity which tends to turn into ridicule the sacred and serious trust of a representative, and while it commits to one person the office which the constitution commits to two, of speaking the voice of the people and granting their money, it does not allow the electors to choose which of the two they will entrust with that power;

“And inasmuch as means the most unconstitutional, influence the most undue, and bribes openly avowed, have been resorted to to carry it against the known sense of the Commons and people during the existence of martial law throughout the land;

“We feel it our bounden duty to ourselves, our country and our posterity, to lay this our most solemn protest and prayer before Your Majesty, that you will be graciously pleased to extend your paternal protection to your faithful and loyal subjects, and to save them from the danger threatened by Your Majesty’s ministers in this their ruinous and destructive project, humbly declaring with the most cordial and warm sincerity, that we are actuated therein by an irresistible sense of duty, by an unshaken loyalty to Your Majesty, by a veneration for the British name, by an ardent attachment to the British nation, with whom we have so often declared we will stand or fall, and by a determination to preserve for ever the connection between the two kingdoms on which the happiness, the power, and the strength of each irrevocably and unalterably depend.”

The motion was very ably supported by Mr. Egan, Mr. Goold,

Mr. Dobbs, Mr. C. Beresford, and Mr. Saurin, who most strenuously urged his former objections to the measure; he contended, that the minister had resorted to the basest means to stifle the real sense of the people: addresses in favour of the Union had been procured by bribes and threats, and from the lowest description of people. Sheriffs had been appointed in consequence of their known sentiments in favour of the measure; some had been continued in office for their known opinions; others had violated their duty, and refused to hold meetings lest they should be hostile to the measure of Union; the military had been resorted to, to intimidate the people; thus had the minister acted outside the doors of the House: how had he acted within? He had in fact new-modelled Parliament; he availed himself of the Bill, which was to secure the independence of the House, and which he had perverted, for the purpose of destroying the constitution; under colour of that law, by the bartering of offices, 63 new members found their way into the House since last session. Such had been the measures pursued by the noble lord opposite (Castlereagh); he had forgotten his early principles; he had abandoned the political opinions of his early acquaintance, and the sentiments of the northern Whig Club, of which he had been a leading member. In 1790, he was an admirer of the doctrines of Paine, he spoke of them in the language of enthusiasm; but now he was an enthusiast of another description; he tells us the Union will do every thing, tranquillize, civilize, enrich, and enlighten. None of the paradoxes in finance by which the noble lord of late amused the House is so extravagant, or so absurd, as this: so far from tranquillizing, it is an insult to the country, and will implant in Ireland a bitterer cause of discontent than has ever yet existed; a cause of discontent which will torture every honest and loyal man in the country by night and by day, and make him doubt for a moment his affection to the British name, and British connexion:

The motion was opposed by Lord Castlereagh and the Attorney-General (Mr. Toler).

The question being put, the House divided: Ayes 77, Noes 135; Majority against the address 58.

Tellers for the Ayes, Lord Viscount Corry, and Mr. Saurin: Noes, Right Honorable Mr. Attorney-Gen. (Toler), and Mr. Robert Johnson.

The question was then put, that the report from the committee on the Union Bill should now be read; on which

The House divided: Ayes 153, Noes 88; Majority 65.

Tellers for the Ayes, Right Hon. Mr. Attorney-General (Toler), and Mr. Martin:

Noes, Mr. John C. Beresford, and Mr. O'Hara.

Lord Castlereagh then moved, that the bill should be engrossed: on which Mr. O'Donnell moved, by way of amendment, "that the bill should be burned," to which Mr. Tighe also moved, by way of amendment, "that it should be burned by the hands of the common hangman:" on this Mr. John Beresford called the mem-

bers to order, and appealed to the speaker whether such a question could be put. Some confusion hereupon ensued; but the speaker observed, that he considered the motion as a separate and distinct one, and not as an amendment; the noble lord wished to dispose of the report by having it engrossed; the honourable member thinks it would be better disposed of by having it burned, and there was nothing unparliamentary or censurable in such a motion; but the motion for having the report engrossed being first made and seconded, he was bound by the rules of the House to put the question first on that point: should that be negatived, it would then be his duty to put the question on the motion, that the report be burned.

The question being then put, "That the report be engrossed," it was carried in the affirmative.

The next day, Lord Castlereagh moved, "that the bill be read a third time;" on which Mr. O'Donnell moved, "that the bill be read a third time on the second of January 1801," this was seconded by Mr. Ruxton, and warmly supported by Mr. Peter Burroughs, Mr. Tighe, Lord Corry, Mr. Parnell, Mr. Dick, Mr. Plunkett, Mr. Arthur Moore, and Mr. Dobbs, the latter in a most extraordinary speech entered into a long theological discussion, on the subject of the millenium, and the consequences likely to happen to the nation, from undoubted signs, he stated that he could foretel the approach of the Messiah, who was about to establish a kingdom in Ireland, founded upon justice and righteousness. He was listened to with much patience. After a warm and animated debate, Mr. O'Donnell's motion was negatived, and the Union bill was read a third time, and passed: it was ordered to the Lords, read a first time on the 11th; and on the 12th, the House divided on the motion "that it be committed."

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Majority 59 for committing the bill.

The following Lords entered their protests against the measure :

Leinster	Belmore, by proxy
Meath	Massey, by proxy
Granard	Strangford
Moira, by proxy	Powerscourt
Bellamont	De Vesci
Ludlow, by proxy	Wm. Down and Connor
Arran	R. Waterford and Lismore
Charlemont	Sunderlin
Kingston, by proxy	Lismore, by proxy
Riversdale, by proxy	Louth
Mount Cashell	Dillon
Farnham	Downshire

The following is the Act of Union between Great Britain and Ireland, 40 G. 3. c. 67.

WHEREAS in pursuance of His Majesty's most gracious recommendation to the two Houses of Parliament in Great Britain and Ireland respectively, to consider of such measures as might best tend to strengthen and consolidate the connection between the two kingdoms, the two Houses of the Parliament of Great Britain, and the two Houses of the Parliament of Ireland, have severally agreed and resolved, that in order to promote and secure the essential interests of Great Britain and Ireland, and to consolidate the strength, power, and resources of the British empire, it will be advisable to concur in such measures as may best tend to unite the two kingdoms of Great Britain and Ireland into one kingdom, in such manner, and on such terms and conditions as may be established by the Acts of the respective Parliaments of Great Britain and Ireland.

And whereas in furtherance of the said resolution, both Houses of the said two Parliaments respectively, have likewise agreed upon certain articles for effectuating and establishing the said purposes in the tenor following:—

ARTICLE I.—That it be the first article of the Union of the kingdoms of Great Britain and Ireland, that the said kingdoms of Great Britain and Ireland shall, upon the first day of January, which shall be in the year of our Lord one thousand eight hundred and one, and for ever after, be united into one kingdom, by the name of “The United Kingdom of Great Britain and Ireland,” and that the royal style and titles appertaining to the imperial crown of the said united kingdom and its dependencies, and also the ensigns armorial, flags and banners thereof, shall be such as His Majesty by His royal proclamation under the Great Seal of the United Kingdom shall be pleased to appoint.

ARTICLE II.—That it be the second article of Union, that the succession to the imperial crown of the said United Kingdom, and of the dominions thereunto belonging, shall continue limited and settled in the same manner as the succession to the imperial crown of the said kingdoms of Great Britain and Ireland now stands limited and settled, according to the existing laws and to the terms of union between England and Scotland.

ARTICLE III.—That it be the third article of Union, that the said United Kingdom be represented in one and the same Parliament, to be styled “The Parliament of the United Kingdom of Great Britain and Ireland.”

ARTICLE IV.—That it be the fourth article of Union, that four Lords spiritual of Ireland by rotation of sessions, and twenty-eight Lords temporal of Ireland, elected for life by the peers of Ireland, shall be the number to sit and vote on the part of Ireland in the House of Lords of the Parliament of the United Kingdom; and one hundred Commoners, (two for each county of Ireland, two for the city of Dublin, two for the city of Cork, one for the Uni-

versity of Trinity College, and one for each of the thirty-one most considerable cities, towns, and boroughs) be the number to sit and vote on the part of Ireland in the House of Commons of the Parliament of the United Kingdom.

That such Act as shall be passed in the Parliament of Ireland, previous to the Union, "to regulate the mode by which the Lords spiritual and temporal, and the Commons, to serve in the Parliament of the United Kingdom on the part of Ireland, shall be summoned and returned to the said Parliament," shall be considered as forming part of the treaty of Union, and shall be incorporated in the acts of the respective parliaments by which the said Union shall be ratified and established.

That all questions touching the rotation or election of Lords spiritual or temporal of Ireland to sit in the Parliament of the United Kingdom, shall be decided by the House of Lords thereof; and whenever by reason of an equality of votes in the election of any such Lords temporal, a complete election shall not be made according to the true intent of this article, the names of those peers for whom such equality of votes shall be so given, shall be written on pieces of paper of a similar form, and shall be put into a glass by the Clerk of the Parliaments, at the table of the House of Lords whilst the House is sitting, and the peer or peers whose name or names shall be first drawn out by the Clerk of the Parliaments shall be deemed the peer or peers elected, as the case may be.

That any person holding any peerage of Ireland now subsisting, or hereafter to be created, shall not thereby be disqualified from being elected to serve, if he shall so think fit, or from serving or continuing to serve, if he shall so think fit, for any county, city, or borough of Great Britain, in the House of Commons of the United Kingdom, unless he shall have been previously elected as above to sit in the House of Lords of the United Kingdom, but that so long as such peer of Ireland shall so continue to be a member of the House of Commons, he shall not be entitled to the privilege of peerage, nor be capable of being elected to serve as a peer on the part of Ireland, or of voting at any such election, and that he shall be liable to be sued, indicted, proceeded against, and tried as a commoner for any offence with which he may be charged.

That it shall be lawful for His Majesty, his heirs and successors, to create peers of that part of the United Kingdom called Ireland, and to make promotions in the peerage thereof after the Union, provided that no new creation of any such peers shall take place after the Union, until three of the peerages of Ireland which shall have been existing at the time of the Union shall have become extinct, and upon such extinction of three peerages, that it shall be lawful for His Majesty, his heirs and successors, to create one peer of that part of the United Kingdom called Ireland; and in like manner so often as three peerages of that part of the United Kingdom called Ireland shall become extinct, it shall be lawful for His Majesty, his heirs and successors, to create one other

peer of the said part of the United Kingdom; and if it shall happen that the peers of that part of the United Kingdom called Ireland shall by extinction of peerages, or otherwise, be reduced to the number of one hundred, exclusive of all such peers of that part of the United Kingdom called Ireland, as shall hold any peerage of Great Britain subsisting at the time of the Union, or of the United Kingdom created since the Union, by which such peers shall be entitled to an hereditary seat in the House of Lords of the United Kingdom, then and in that case it shall and may be lawful for His Majesty, his heirs and successors, to create one peer of that part of the United Kingdom called Ireland, as often as any one of such one hundred peerages shall fail by extinction, or as often as any one peer of that part of the United Kingdom called Ireland shall become entitled by descent or creation to an hereditary seat in the House of Lords of the United Kingdom; it being the true intent and meaning of this article, that at all times after the Union, it shall and may be lawful for His Majesty, his heirs and successors, to keep up the peerage of that part of the United Kingdom called Ireland, to the number of one hundred, over and above the number of such of the said peers as shall be entitled by descent or creation to an hereditary seat in the House of Lords of the United Kingdom.

That if any peerage shall at any time be in abeyance, such peerage shall be deemed and taken as an existing peerage, and no peerage shall be deemed extinct, unless on default of claimants to the inheritance of such peerage for the space of one year from the death of the person who shall have been last possessed thereof, and if no claim shall be made to the inheritance of such peerage, in such form and manner as may from time to time be prescribed by the House of Lords of the United Kingdom, before the expiration of the said period of a year, then, and in that case, such peerage shall be deemed extinct; provided that nothing herein shall exclude any person from afterwards putting in a claim to the peerage so deemed extinct, and if such claim shall be allowed as valid by judgment of the House of Lords of the United Kingdom reported to His Majesty, such peerage shall be considered as revived; and in case any new creation of a peerage of that part of the United Kingdom called Ireland, shall have taken place in the interval in consequence of the supposed extinction of such peerage, then no new right of creation shall accrue to His Majesty, his heirs or successors, in consequence of the next extinction which shall take place of any peerage of that part of the United Kingdom called Ireland.

That all questions touching the election of members to sit on the part of Ireland in the House of Commons of the United Kingdom shall be heard and decided in the same manner as questions touching such elections in Great Britain now are, or at any time hereafter shall by law be heard and decided, subject nevertheless to such particular regulations in respect of Ireland as from local circumstances the Parliament of the United Kingdom may from time to time deem expedient.

That the qualifications in respect of property of the members elected on the part of Ireland to sit in the House of Commons of the United Kingdom shall be respectively the same as are now provided by law in the cases of elections for counties and cities and boroughs respectively in that part of Great Britain called England, unless any other provision shall hereafter be made in that respect by act of Parliament of the United Kingdom.

That when His Majesty, his heirs or successors, shall declare his, her, or their pleasure for holding the first or any subsequent Parliament of the United Kingdom, a proclamation shall issue under the great seal of the United Kingdom to cause the Lords spiritual and temporal and Commons who are to serve in the Parliament thereof on the part of Ireland, to be returned in such manner as by any act of this present session of the Parliament of Ireland shall be provided; and that the Lords spiritual and temporal and Commons of Great Britain shall, together with the Lords spiritual and temporal and Commons so returned as aforesaid on the part of Ireland, constitute the two Houses of the Parliament of the United Kingdom.

That if His Majesty, on or before the first day of January one thousand eight hundred and one, on which day the Union is to take place, shall declare under the great seal of Great Britain, that it is expedient that the Lords and Commons of the present Parliament of Great Britain should be the members of the respective houses of the first Parliament of the United Kingdom on the part of Great Britain, then the said Lords and Commons of the present Parliament of Great Britain shall accordingly be the members of the respective houses of the first Parliament of the United Kingdom on the part of Great Britain, and they, together with the Lords spiritual and temporal and Commons so summoned and returned as above on the part of Ireland, shall be the Lords spiritual and temporal and Commons of the first Parliament of the United Kingdom, and such first Parliament may (in that case) if not sooner dissolved, continue to sit so long as the present Parliament of Great Britain may now by law continue to sit, if not sooner dissolved: Provided always, That until an act shall have passed in the Parliament of the United Kingdom, providing in what cases persons holding offices or places of profit under the Crown in Ireland shall be incapable of being members of the House of Commons of the Parliament of the United Kingdom, no greater number of members than twenty holding such offices or places, as aforesaid, shall be capable of sitting in the said House of Commons of the Parliament of the United Kingdom; and if such a number of members shall be returned to serve in the said House, as to make the whole number of members of the said House holding such offices or places, as aforesaid, more than twenty, then and in such case, the seats or places of such members as shall have last accepted such offices or places shall be vacated at the option of such members, so as to reduce the number of members holding such offices or places to the number of twenty; and no person holding any such office or place shall be capable of being:

elected, or of sitting in the said house, while there are twenty persons holding such offices or places sitting in the said house; and that every one of the Lords of Parliament of the United Kingdom, and every member of the House of Commons of the United Kingdom, in the first and all succeeding Parliaments, shall, until the Parliament of the United Kingdom shall otherwise provide, take the oaths, and make and subscribe the declaration, and take and subscribe the oath now by law enjoined to be taken, made and subscribed by the Lords and Commons of the Parliament of Great Britain.

That the Lords of Parliament on the part of Ireland in the House of Lords of the United Kingdom shall at all times have the same privileges of Parliament which shall belong to the Lords of Parliament on the part of Great Britain, and the Lords spiritual and temporal respectively on the part of Ireland shall at all times have the same rights in respect of their sitting and voting upon the trial of peers as the Lords spiritual and temporal respectively on the part of Great Britain; and that all Lords spiritual of Ireland shall have rank and precedence next and immediately after the Lords spiritual of the same rank and degree of Great Britain, and shall enjoy all privileges as fully as the Lords spiritual of Great Britain do now, or may hereafter enjoy the same, the right and privilege of sitting in the House of Lords, and the privileges depending thereon, and particularly the right of sitting on the trial of peers, excepted; and that the persons holding any temporal peerages of Ireland existing at the time of the Union, shall, from and after the Union, have rank and precedence next and immediately after all the persons holding peerages of the like orders and degrees in Great Britain, subsisting at the time of the Union; and that all peerages of Ireland created after the Union shall have rank and precedence with the peerages of the United Kingdom so created, according to the dates of their creations; and that all peerages, both of Great Britain and Ireland, now subsisting, or hereafter to be created, shall in all other respects from the date of the Union be considered as peerages of the United Kingdom, and that the peers of Ireland shall, as peers of the United Kingdom, be sued and tried as peers, except as aforesaid, and shall enjoy all privileges of peers as fully as the peers of Great Britain; the right and privilege of sitting in the House of Lords, and the privileges depending thereon, and the right of sitting on the trial of peers only excepted.

ARTICLE V. — That it be the fifth article of Union, that the churches of England and Ireland, as now by law established, be united into one protestant episcopal church, to be called "The United Church of England and Ireland," and that the doctrine, worship, discipline, and government of the said united church shall be, and shall remain in full force for ever, as the same are now by law established for the church of England; and that the continuance and preservation of the said united church, as the established church of England and Ireland, shall be deemed and taken to be an essential and fundamental part of the Union; and

that in like manner the doctrine, worship, discipline, and government of the church of Scotland shall remain and be preserved as the same are now established by law, and by the acts for the Union of the two kingdoms of England and Scotland.

ARTICLE VI. — That it be the sixth article of Union, that His Majesty's subjects of Great Britain and Ireland shall, from and after the first day of January one thousand eight hundred and one, be entitled to the same privileges, and be on the same footing as to encouragements and bounties on the like articles, being the growth, produce, or manufacture of either country respectively and generally, in respect of trade and navigation in all ports and places in the United Kingdom and its dependencies; and that in all treaties made by His Majesty, his heirs and successors, with any foreign power, His Majesty's subjects of Ireland shall have the same privileges and be on the same footing as His Majesty's subjects of Great Britain.

That from the first day of January one thousand eight hundred and one, all prohibitions and bounties on the export of articles the growth, produce, or manufacture of either country to the other, shall cease and determine, and that the said articles shall thenceforth be exported from one country to the other without duty or bounty on such export.

That all articles the growth, produce, or manufacture of either country, (not hereinafter enumerated as subject to specific duties,) shall from thenceforth be imported into each country from the other free from duty, other than such countervailing duties on the several articles enumerated in the schedule No. I. A and B, hereunto annexed, as are therein specified, or such other countervailing duties as shall hereafter be imposed by the Parliament of the United Kingdom, in the manner hereinafter provided; and that for the period of twenty years from the Union, the articles enumerated in the schedule No. II. hereunto annexed shall be subject, on importation into each country from the other, to the duties specified in the said schedule No. II.; and the woollen manufactures, known by the names of old and new drapery, shall pay on importation into each country from the other the duties now payable on importation into Ireland.

Salt and hops, on importation into Ireland from Great Britain, duties not exceeding those which are now paid on importation into Ireland; and coals, on importation into Ireland from Great Britain, shall be subject to burthens not exceeding those to which they are now subject.

That calicoes and muslins shall, on their importation into either country from the other, be subject and liable to the duties now payable on the same on the importation thereof from Great Britain into Ireland, until the fifth day of January one thousand eight hundred and eight; and from and after the said day, the said duties shall be annually reduced by equal proportions as near as may be in each year, so as that the said duties shall stand at ten *per centum* from and after the fifth day of January one thousand eight hundred and sixteen until the fifth day of January one thou-

sand eight hundred and twenty-one; and that cotton yarn and cotton twist shall, on their importation into either country from the other, be subject and liable to the duties now payable upon the same on the importation thereof from Great Britain into Ireland, until the fifth day of January one thousand eight hundred and eight; and from and after the said day the said duties shall be annually reduced by equal proportions as near as may be in each year, so as that all duties shall cease on the said articles from and after the fifth day of January one thousand eight hundred and sixteen.

That any articles of the growth, produce, or manufacture of either country, which are or may be subject to internal duty, or to duty on the materials of which they are composed, may be made subject, on their importation into each country respectively from the other, to such countervailing duty as shall appear to be just and reasonable, in respect of such internal duty or duties on the materials; and, that for the said purposes, the articles specified in the said schedule No. I. A and B, shall be subject to the duties set forth therein, liable to be taken off, diminished, or increased, in the manner herein specified; and, that upon the export of the said articles from each country to the other, respectively, a drawback shall be given, equal in amount to the countervailing duty, payable on such articles on the import thereof into the same country from the other; and that, in like manner, in future, it shall be competent to the United Parliament to impose any new or additional countervailing duties; or to take off or diminish such existing countervailing duties as may appear, on like principles, to be just and reasonable, in respect of any future or additional internal duty, on any article of the growth, produce, or manufacture of either country; or of any new or additional duty on any materials of which such article may be composed; or of any abatement of duty on the same; and, that when any such new or additional countervailing duty shall be so imposed on the import of any article into either country from the other, a drawback, equal in amount to such countervailing duty, shall be given, in like manner, on the export of every such article respectively, from the same country to the other.

That all articles, the growth, produce, or manufacture of either country, when exported through the other shall, in all cases, be exported subject to the same charges as if they had been exported directly from the country of which they were the growth, produce, or manufacture.

That all duty charged on the import of foreign or colonial goods, into either country, shall, on their export to the other, be either drawn back, or the amount (if any be retained) shall be placed to the credit of the country to which they shall be so exported, so long as the expenditure of the United Kingdom, shall be defrayed by proportional contributions; provided always, that nothing herein shall extend to take away any duty, bounty, or prohibition, which exists, with respect to corn, meal, malt, flour, or biscuit; but that all duties, bounties, or prohibitions on

the said articles may be regulated, varied, or repealed, from time to time, as the United Parliament shall deem expedient.

SCHEDULE, No. II.

Of the Articles charged with the Duties, specified upon Importation into Great Britain and Ireland respectively, according to the sixth Article of Union.

Apparel	} Ten pounds per cent. on the true value.
Brass, wrought	
Cabinet ware	
Coaches and other carriages	
Copper, wrought	
Cottons, other than calicoes and muslins	
Glass	
Haberdashery	
Hats	
Tin plates, wrought iron, and hardware	
Gold and silver lace, gold and silver thread, bullion for lace, pearl and spangles	
Millinery	
Paper, stained	
Pottery	
Sadlery and other manufactured leather	
Silk manufacture	
Stockings	

ARTICLE VII. — That it be the seventh article of Union, that the charge arising from the payment of the interest and the sinking fund, for the reduction of the principal of the debt incurred in either kingdom before the Union, shall continue to be separately defrayed by Great Britain and Ireland respectively, except as hereinafter provided.

That for the space of twenty years after the Union shall take place, the contribution of Great Britain and Ireland respectively, towards the expenditure of the United Kingdom in each year, shall be defrayed, in the proportion of fifteen parts for Great Britain, and two parts for Ireland; that at the expiration of the said twenty years, the future expenditure of the United Kingdom (other than the interest and charges of the debt to which either country shall be separately liable), shall be defrayed in such proportion as the Parliament of the United Kingdom shall deem just and reasonable, upon a comparison of the real value of the exports and imports of the respective countries, upon an average of the three years next preceding the period of revision; or on a comparison of the value of the quantities of the following articles, consumed within the respective countries, on a similar average, viz. beer, spirits, sugar, wine, tea, tobacco, and malt; or according to the aggregate proportion resulting from both these considerations combined; or on a comparison of the amount of income in each country, estimated from the produce, for the same period of a general tax, if such shall have been imposed on the same descriptions of income in both countries; and, that the Parliament of the United Kingdom shall afterwards proceed in like

manner to revise and fix the said proportions, according to the same rules, or any of them, at periods not more distant than twenty years, nor less than seven years from each other, unless previous to any such period, the Parliament of the United Kingdom shall have declared, as hereinafter provided, that the expenditure of the United Kingdom shall be defrayed indiscriminately by equal taxes imposed on the like articles in both countries.

That for the defraying the said expenditure, according to the rules above laid down, the revenues of Ireland shall hereafter constitute a consolidated fund, which shall be charged, in the first instance, with the interest of the debt of Ireland, and with the sinking fund applicable to the reduction of the said debt; and the remainder shall be applied towards defraying the proportion of the expenditure of the United Kingdom, to which Ireland may be liable in each year.

That the proportion of contribution to which Great Britain and Ireland will be liable, shall be raised by such taxes, in each country respectively, as the Parliament of the United Kingdom shall, from time to time, deem fit: provided always, that in regulating the taxes in each country, by which their respective proportions shall be levied, no article in Ireland shall be made liable to any new or additional duty, by which the whole amount of duty, payable thereon, would exceed the amount which will be thereafter payable in England on the like article.

That, if at the end of any year, any surplus shall accrue from the revenues of Ireland, after defraying the interest, sinking fund, and proportional contribution, and separate charges to which the said country shall then be liable, taxes shall be taken off to the amount of such surplus; or the surplus shall be applied by the Parliament of the United Kingdom, to local purposes in Ireland; or to make good any deficiency which may arise in the revenues of Ireland in time of peace, or be invested by the commissioners of the national debt of Ireland in the funds, to accumulate for the benefit of Ireland, at compound interest, in case of the contribution of Ireland in time of war; provided that the surplus so to accumulate shall at no future period be suffered to exceed the sum of five millions.

That all monies to be raised after the Union by loan, in peace or war, for the service of the United Kingdom, by the Parliament thereof, shall be considered to be a joint debt, and the charges thereof shall be borne by the respective countries in the proportion of their respective contributions; provided, that if at any time in raising their respective contributions hereby fixed for each country, the Parliament of the United Kingdom shall judge it fit to raise a greater proportion of such respective contributions in one country within the year than in the other, or to set apart a greater proportion of sinking fund for the liquidation of the whole, or any part of the loan raised on account of the one country than of that raised on account of the other country; then such part of the said loan, for the liquidation of which different provisions shall have been made for the respective countries, shall be

kept distinct, and shall be borne by each separately; and only that part of the said loan be deemed joint and common for the reduction of which the respective countries shall have made provision in the proportion of their respective contributions.

That if at any future day the separate debt of each country respectively shall have been liquidated, or if the values of their respective debts (estimated according to the amount of the interest and annuities attending the same, and of the sinking fund applicable to the reduction thereof, and to the period within which the whole capital of such debt shall appear to be redeemable by such sinking fund,) shall be to each other in the same proportion with the respective contributions of each country respectively, or if the amount by which the value of the larger of such debts shall vary from such proportion shall not exceed one-hundredth part of the said value, and if it shall appear to the Parliament of the United Kingdom that the respective circumstances of the two countries will thenceforth admit of their contributing indiscriminately, by equal taxes imposed on the same articles in each, to the future expenditure of the United Kingdom, it shall be competent to the Parliament of the United Kingdom to declare that all future expense thenceforth to be incurred, together with the interest and charges of all joint debts contracted previous to such declaration, shall be so defrayed indiscriminately, by equal taxes imposed on the same articles in each country, and thenceforth, from time to time, as circumstances may require, to impose and apply such taxes accordingly; subject only to such particular exemptions or abatements in Ireland, and in that part of Great Britain called Scotland, as circumstances may appear from time to time to demand.

That from the period of such declaration, it shall no longer be necessary to regulate the contribution of the two countries, towards the future expenditure of the United Kingdom according to any specific proportion, or according to any of the rules herein before prescribed; provided nevertheless, that the interest or charges which may remain on account of any part of the separate debt with which either country shall be chargeable, and which shall not be liquidated or consolidated proportionably as above, shall, until extinguished, continue to be defrayed, by separate taxes in each country.

That a sum not less than the sum which has been granted by the Parliament of Ireland, on the average of six years immediately preceding the first day of January, in the year one thousand eight hundred, in premiums for the internal encouragement of agriculture or manufactures; or for the maintaining institutions for pious and charitable purposes, shall be applied for the period of twenty years after the Union to such local purposes in Ireland, in such manner as the Parliament of the United Kingdom shall direct.

That from and after the first day of January, one thousand eight hundred and one, all public revenue arising to the United Kingdom from the territorial dependencies thereof, and applied to the general expenditure of the United Kingdom, shall be so ap-

plied in the proportions of the respective contributions of the two countries.

ARTICLE VIII. — That it be the eighth article of Union, that all laws in force at the time of the Union, and all the courts of civil and ecclesiastical jurisdiction within the respective kingdoms, shall remain as now by law established within the same, subject only to such alterations and regulations, from time to time, as circumstances may appear to the Parliament of the United Kingdom to require; provided, that all writs of error and appeals, depending at the time of the Union, or hereafter to be brought, and which might now be finally decided by the House of Lords of either kingdom, shall from and after the Union be finally decided by the House of Lords of the United Kingdom, and provided, that from and after the Union there shall remain in Ireland an Instance Court of Admiralty, for the determination of causes, civil and maritime only; and that the appeal from sentences of the said court shall be to His Majesty's delegates in his Court of Chancery, in that part of the United Kingdom called Ireland; and that all laws at present in force in either kingdom, which shall be contrary to any of the provisions which may be enacted by any act for carrying these articles into effect, be from and after the Union repealed.

I. And whereas the said articles having, by address of the respective Houses of Parliament in Great Britain and Ireland, been humbly laid before His Majesty, His Majesty has been graciously pleased to approve the same, and to recommend it to his two Houses of Parliament, in Great Britain and Ireland, to consider of such measures as may be necessary for giving effect to the said articles; in order therefore to give full effect and validity to the same, be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that the said foregoing recited articles, each and every one of them, according to the true import and tenor thereof, be ratified, confirmed, and approved, and be, and they are hereby declared to be the articles of the Union of Great Britain and Ireland, and the same shall be in force and have effect for ever, from the first day of January which shall be in the year of our Lord one thousand eight hundred and one; provided, that before that period an act shall have been passed by the Parliament of Great Britain for carrying into effect, in the like manner, the said foregoing recited articles.

II. And whereas a bill, intituled "An act to regulate the mode by which the Lords spiritual and temporal, and the Commons, to serve in the Parliament of the United Kingdom on the part of Ireland, shall be summoned and returned to the said Parliament," has passed the two Houses of the Parliament of this Kingdom, the tenor whereof is as follows: — "An act to regulate the mode by which the Lords spiritual and temporal, and the Commons, to serve in the Parliament of the United Kingdom on the part of Ireland, shall be summoned and returned to the said Parliament." Whereas it is agreed by the fourth article of

Union, that four Lords spiritual of Ireland, by rotation of sessions, and twenty-eight Lords temporal of Ireland, elected for life by the peers of Ireland, shall be the number to sit and vote on the part of Ireland, in the House of Lords of the Parliament of the United Kingdom, and one hundred Commoners, (two for each county of Ireland, two for the city of Dublin, two for the city of Cork, one for the College of the Holy Trinity of Dublin, and one for each of the thirty-one most considerable cities, towns, and boroughs,) be the number to sit and vote on the part of Ireland, in the House of Commons of the Parliament of the United Kingdom; be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons in this present Parliament assembled, and by the authority of the same, that the said four Lords spiritual shall be taken from among the Lords spiritual of Ireland, in the manner following, that is to say, that one of the four archbishops of Ireland, and three of the eighteen bishops of Ireland, shall sit in the House of Lords of the United Parliament in each session thereof, the said right of sitting being regulated as between the said archbishops respectively, by a rotation among the archiepiscopal sees, from session to session, and in like manner that of the bishops by a like rotation among the episcopal sees; that the primate of all Ireland, for the time being, shall sit in the first session of the Parliament of the United Kingdom; the archbishop of Dublin, for the time being, in the second; the archbishop of Cashel, for the time being, in the third; the archbishop of Tuam, for the time being, in the fourth, and so by rotation of sessions for ever; such rotation to proceed regularly and without interruption from session to session, notwithstanding any dissolution or expiration of Parliament; that three suffragan bishops shall in like manner sit according to rotation of their sees, from session to session, in the following order; the Lord bishop of Meath, the Lord bishop of Kildare, the Lord bishop of Derry, in the first session of the Parliament of the United Kingdom; the Lord bishop of Raphoe, the Lord bishop of Limerick, Ardfer, and Aghadoc, the Lord bishop of Dromore, in the second session of the Parliament of the United Kingdom; the Lord bishop of Elphin, the Lord bishop of Down and Connor, the Lord bishop of Waterford and Lismore, in the third session of the Parliament of the United Kingdom; the Lord bishop of Leighlin and Ferns, the Lord bishop of Cloyne, the Lord bishop of Cork and Ross, in the fourth session of the Parliament of the United Kingdom; the Lord bishop of Killaloe and Kilfenora, the Lord bishop of Kilmore, the Lord bishop of Clogher, in the fifth session of the Parliament of the United Kingdom; the Lord bishop of Ossory, the Lord bishop of Killala and Achonry, the Lord bishop of Clonfert and Kilmacduagh, in the sixth session of the Parliament of the United Kingdom; the said rotation to be nevertheless subject to such variation therefrom, from time to time, as is hereinafter provided: that the said twenty-eight Lords temporal shall be chosen by all the temporal peers of Ireland in the manner hereinafter provided; that each of the said Lords temporal so

chosen shall be entitled to sit in the House of Lords of the Parliament of the United Kingdom during his life, and in case of his death, or forfeiture of any of the said Lords temporal, the temporal peers of Ireland shall, in the manner hereinafter provided, choose another peer out of their own number to supply the place so vacant.

III. And be it enacted, That of the one hundred Commoners to sit on the part of Ireland in the United Parliament, sixty-four shall be chosen for the counties, and thirty-six for the following cities and boroughs, viz. for each county of Ireland, two; for the city of Dublin, two; for the city of Cork, two; for the College of the Holy Trinity of Dublin, one; for the city of Waterford, one; for the city of Limerick, one; for the borough of Belfast, one; for the county and town of Drogheda, one; for the county and town of Carrickfergus, one; for the borough of Newry, one; for the city of Kilkenny, one; for the city of Londonderry, one; for the town of Galway, one; for the borough of Clonmel, one; for the town of Wexford, one; for the town of Youghal, one; for the town of Bandonbridge, one; for the borough of Armagh, one; for the borough of Dundalk, one; for the town of Kinsale, one; for the borough of Lisburne, one; for the borough of Sligo, one; for the borough of Catherlough, one; for the borough of Ennis, one; for the borough of Dungarvan, one; for the borough of Downpatrick, one; for the borough of Coleraine, one; for the town of Mallow, one; for the borough of Athlone, one; for the town of New Ross, one; for the borough of Tralee, one; for the city of Cashel, one; for the borough of Dungannon, one; for the borough of Portarlinton, one; for the borough of Enniskillen, one.

IV. And be it enacted, That in case of the summoning of a new Parliament, or if the seat of any of the said Commoners shall become vacant by death or otherwise, then the said counties, cities, or boroughs, or any of them, as the case may be, shall proceed to a new election; and that all the other towns, cities, corporations, or boroughs, other than the aforesaid, shall cease to elect representatives to serve in Parliament; and no meeting shall at any time hereafter be summoned, called, convened, or held, for the purpose of electing any person or persons to serve or act, or be considered as representative or representatives of any other place, town, city, corporation, or borough, other than the aforesaid, or as representative or representatives of the freemen, freeholders, householders, or inhabitants thereof, either in the Parliament of the United Kingdom or elsewhere, (unless it shall hereafter be otherwise provided by the Parliament of the United Kingdom,) and every person summoning, calling, or holding any such meeting or assembly, or taking any part in any such election or pretended election, shall, being thereof duly convicted, incur and suffer the pains and penalties ordained and provided by the statute of provision and præmunire made in the sixteenth year of the reign of Richard the Second.

V. For the due election of the persons to be chosen to sit in the respective Houses of the Parliament of the United Kingdom

on the part of Ireland, be it enacted, That on the day following that on which the act for establishing the Union shall have received the royal assent, the Primate of all Ireland, the Lord bishop of Meath, the Lord bishop of Kildare, and the Lord bishop of Derry, shall be, and they are hereby declared to be, the representatives of the Lords spiritual of Ireland, in the Parliament of the United Kingdom for the first session thereof; and that the temporal peers of Ireland shall assemble at twelve of the clock on the same day as aforesaid, in the now accustomed place of meeting of the House of Lords of Ireland, and shall then and there proceed to elect twenty-eight Lords temporal to represent the peerage of Ireland in the Parliament of the United Kingdom in the following manner: that is to say, the names of the peers shall be called over according to their rank, by the clerk of the crown, or his deputy, who shall then and there attend for that purpose; and each of the said peers who, previous to the said day, and in the present Parliament, shall have actually taken his seat in the House of Lords of Ireland, and who shall there have taken the oaths, and signed the declaration, which are or shall be by law required to be taken and signed by the Lords of the Parliament of Ireland, before they can sit and vote in the Parliament thereof, shall, when his name is called, deliver, either by himself or by his proxy, the name of such proxy having been previously entered in the books of the House of Lords of Ireland, according to the present forms and usages thereof, to the clerk of the crown or his deputy, (who shall then and there attend for that purpose,) a list of twenty-eight of the temporal peers of Ireland; and the clerk of the crown, or his deputy, shall then and there publicly read the said lists, and shall then and there cast up the said lists, and publicly declare the names of the twenty-eight Lords who shall be chosen by the majority of votes in the said lists, and shall make a return of the said names to the House of Lords of the first Parliament of the United Kingdom; and the twenty-eight Lords so chosen by the majority of votes in the said lists shall, during their respective lives, sit as representatives of the peers of Ireland, in the House of Lords of the United Kingdom, and be entitled to receive writs of summons to that and every succeeding Parliament; and in case a complete election shall not be made of the whole number of twenty-eight peers, by reason of an equality of votes, the clerk of the crown shall return such number in favour of whom a complete election shall have been made in one list, and in a second list shall return the names of those peers who shall have an equality of votes, but in favour of whom, by reason of such equality, a complete election shall not have been made; and the names of the peers in the second list for whom an equal number of votes shall have been so given, shall be written on pieces of paper of a similar form, and shall be put into a glass by the clerk of the Parliament of the United Kingdom, at the table of the House of Lords thereof, whilst the House is sitting; and the peer whose name shall be first drawn out by the clerk of the Parliament, shall be deemed the peer elected, and so successively as often as the case may require; and whenever the seat of any of

the twenty-eight Lords temporal so elected, shall be vacated by decease or forfeiture, the chancellor, the keeper, or commissioners of the great seal of the United Kingdom, for the time being, upon receiving a certificate under the hand and seal of any two Lords temporal, of the Parliament of the United Kingdom, certifying the decease of such peer; or on view of the record of attainder of such peer, shall direct a writ to be issued under the great seal of the United Kingdom, to the chancellor, the keeper, or commissioners of the great seal of Ireland, for the time being, directing him or them to cause writs to be issued by the clerk of the crown in Ireland, to every temporal peer of Ireland, who shall have sat and voted in the House of Lords of Ireland before the Union, or whose right to sit and vote therein, or to vote at such elections, shall on claim made in his behalf, have been admitted by the House of Lords of Ireland, before the Union, or after the Union, by the House of Lords of the United Kingdom; and notice shall forthwith be published by the said clerk of the crown, in the London and Dublin Gazettes, of the issuing of such writs, and of the names and titles of all the peers to whom the same are directed; and to the said writs there shall be annexed a form of return thereof, in which a blank shall be left for the name of the peer to be elected, and the said writs shall enjoin each peer within fifty-two days from the test of the writ to return the same into the Crown Office of Ireland, with the blank filled up by inserting the name of the peer for whom he shall vote as the peer to succeed to the vacancy made by demise or forfeiture, as aforesaid, and the said writs and returns shall be bipartite, so as that the name of the peer to be chosen shall be written twice, that is once on each part of such writ and return, and so as that each part may also be subscribed by the peer to whom the same shall be directed, and likewise be sealed with his seal of arms, and one part of the said writs and returns so filled up, subscribed and sealed as above, shall remain of record in the Crown Office of Ireland, and the other part shall be certified by the clerk of the crown to the clerk of the Parliament of the United Kingdom; and no peer of Ireland, except such as shall have been elected as representative peers on the part of Ireland in the House of Lords of the United Kingdom, and shall there have taken the oaths and signed the declaration prescribed by law, shall, under pain of suffering such punishment as the House of Lords of the United Kingdom may award and adjudge, make a return to such writ, unless he shall after the issuing thereof, and before the day on which the writ is returnable, have taken the oaths, and signed the declaration, which are, or shall be by law required to be taken and signed by the Lords of the United Kingdom, before they can sit and vote in the Parliament thereof, which oaths and declarations shall be either taken and subscribed in the Court of Chancery of Ireland, or before one of His Majesty's justices of the peace of that part of the United Kingdom called Ireland, a certificate whereof signed by such justices of the peace, or by the register of the said Court of Chancery, shall be transmitted by such peer, with the return, and

shall be annexed to that part thereof remaining of record in the Crown Office of Ireland; and the clerk of the crown shall forthwith after the return day of the writs, cause to be published in the London and Dublin Gazettes, a notice of the name of the person chosen by the majority of votes, and the peer so chosen shall, during his life, be one of the peers to sit and vote on the part of Ireland in the House of Lords of the United Kingdom; and in case the votes shall be equal, the names of such persons who have an equal number of votes in their favour, shall be written on pieces of paper of a similar form, and shall be put into a glass by the clerk of the Parliament of the United Kingdom, at the table of the House of Lords whilst the House is sitting; and the peer whose name shall be first drawn out by the clerk of the Parliament shall be deemed the peer elected.

VI. And be it enacted, That in case any Lord spiritual being a temporal peer of the United Kingdom, or being a temporal peer of that part of the United Kingdom called Ireland, shall be chosen by the Lords temporal to be one of the representatives of the Lords temporal, in every such case, during the life of such spiritual peer, being a temporal peer of the United Kingdom, or being a temporal peer of that part of the United Kingdom called Ireland, so chosen to represent the Lords temporal, the rotation of representation of the spiritual Lords shall proceed to the next spiritual Lord, without regard to such spiritual Lord so chosen a temporal peer, that is to say, if such spiritual Lord shall be an archbishop, then the rotation shall proceed to the archbishop whose see is next in rotation, and if such spiritual Lord shall be a suffragan bishop, then the rotation shall proceed to the suffragan bishop whose see is next in rotation.

VII. And whereas by the said fourth article of Union, it is agreed, that if His Majesty shall, on or before the first day of January next, declare under the great seal of Great Britain, that it is expedient that the Lords and Commons of the present Parliament of Great Britain should be the members of the respective Houses of the first Parliament of the United Kingdom on the part of Great Britain, then the Lords and Commons of the present Parliament of Great Britain shall accordingly be the members of the respective Houses of the first Parliament of the United Kingdom on the part of Great Britain; be it enacted, for and in that case only, that the present members of the thirty-two counties of Ireland, and the two members for the city of Dublin, and the two members for the city of Cork, shall be, and they are hereby declared to be, by virtue of this act, members for the said counties and cities in the first Parliament of the United Kingdom, and that on a day and hour to be appointed by His Majesty, under the great seal of Ireland, previous to the said first day of January, one thousand eight hundred and one, the members then serving for the College of the Holy Trinity of Dublin, and for each of the following cities or boroughs, that is to say, the city of Waterford, city of Limerick, borough of Belfast, county and town of Drogheda, county and town of Carrickfergus, borough of Newry, city

of Kilkenny, city of Londonderry, town of Galway, borough of Clonmel, town of Wexford, town of Youghal, town of Bandon Bridge, borough of Armagh, borough of Dundalk, town of Kinsale, borough of Lisburn, borough of Sligo, borough of Catherlough, borough of Ennis, borough of Dungarvan, borough of Downpatrick, borough of Coleraine, town of Mallow, borough of Athlone, town of New Ross, borough of Tralee, city of Cashel, borough of Dungannon, borough of Portarlinton, and borough of Enniskillen, or any five or more of them, shall meet in the now usual place of meeting of the House of Commons of Ireland, and the names of the members then serving for the said places and boroughs shall be written on separate pieces of paper, and the said papers, being folded up, shall be placed in a glass or glasses, and shall successively be drawn thereout by the clerk of the crown, or his deputy, who shall then and there attend for that purpose, and the first drawn name of a member of each of the aforesaid places or boroughs, shall be taken as the name of the member to serve for the said place or borough in the first Parliament of the United Kingdom, and a return of the said names shall be made by the clerk of the crown, or his deputy, to the House of Commons of the first Parliament of the United Kingdom, and a certificate thereof shall be given respectively by the said clerk of the crown or his deputy, to each of the members whose name shall have been so drawn; provided always, that it may be allowed to any member of any of the said places or boroughs, by personal application to be then and there made by him to the clerk of the crown or his deputy, or by declaration in writing under his hand, to be transmitted by him to the clerk of the crown, previous to the said day so appointed as above, to withdraw his name previous to the drawing of the names by lot, in which case, or in that of a vacancy by death or otherwise of one of the members of any of the said places or boroughs at the time of so drawing the names, the name of the other member shall be returned as aforesaid, as the name of the member to serve for such place in the first Parliament of the United Kingdom; or if both members for any such place or borough shall so withdraw their names, or if there shall be a vacancy of both members at the time aforesaid, the clerk of the crown shall certify the same to the House of Commons of the first Parliament of the United Kingdom, and shall also express in such return whether any writ shall then have issued for the election of a member or members to supply such vacancy, and if a writ shall so have issued for the election of one member only, such writ shall be superseded, and any election to be thereafter made thereupon, shall be null and of no effect; and if such writ shall have issued for the election of two members, the said two members shall be chosen accordingly, and their names being returned by the clerk of the crown to the House of Commons of the Parliament of the United Kingdom, one of the said names shall then be drawn by lot in such manner and time as the said House of Commons shall direct, and the person whose name shall be so drawn, shall be deemed to be the member to sit for such

place in the first Parliament of the United Kingdom ; but if at the time aforesaid no writ shall have issued to supply such vacancy, none shall thereafter issue until the same be ordered by resolution of the House of Commons of the Parliament of the United Kingdom, as in the case of any other vacancy of a seat in the House of Commons of the Parliament of the United Kingdom.

VIII. And be it enacted, That whenever His Majesty, his heirs and successors, shall by proclamation under the great seal of the United Kingdom, summon a new Parliament of the United Kingdom of Great Britain and Ireland, the chancellor, keeper, or commissioners of the great seal of Ireland, shall cause writs to be issued to the several counties, cities, the College of the Holy Trinity of Dublin, and boroughs in that part of the United Kingdom called Ireland, specified in this act, for the election of members to serve in the Parliament of the United Kingdom according to the numbers hereinbefore set forth ; and whenever any vacancy of a seat in the House of Commons of the Parliament of the United Kingdom for any of the said counties, cities, or boroughs, or for the said College of the Holy Trinity of Dublin, shall arise by death or otherwise, the chancellor, keeper, or commissioners of the great seal, upon such vacancy being certified to them respectively by the proper warrant, shall forthwith cause a writ to issue for the election of a person to fill up such vacancy, and such writs, and the returns thereon respectively being returned into the Crown Office in that part of the United Kingdom called Ireland, shall from thence be transmitted to the Crown Office in that part of the United Kingdom called England, and be certified to the House of Commons in the same manner as the like returns have been usually, or shall hereafter be certified ; and copies of the said writs and returns, attested by the chancellor, keeper, or commissioners of the great seal of Ireland for the time being, shall be preserved in the Crown Office of Ireland, and shall be evidence of such writs and returns, in case the original writs and returns shall be lost.

IX. Be it enacted, that the said bill so herein recited be taken as a part of this act, and be deemed to all intents and purposes incorporated within the same ; provided always, that the said herein recited bill shall receive the royal assent, and be passed into a law previous to the first day of January, which shall be in the year of our Lord one thousand eight hundred and one ; and provided also, that if the said herein recited bill shall not receive the royal assent, and be passed into a law, previous to the said first day of January, which shall be in the year of our Lord one thousand eight hundred and one, this act and every part thereof shall be of no force or validity whatsoever.

X. And be it enacted, that the great seal of Ireland may, if His Majesty shall so think fit, after the Union, be used in like manner as before the Union, except where it is otherwise provided by the foregoing articles, within that part of the United Kingdom called Ireland, and that His Majesty may, so long as he shall think fit, continue the privy council of Ireland, to be his privy council for that part of the United Kingdom called Ireland.

IMPERIAL PARLIAMENT.

ROMAN CATHOLICS.

MR. FOX MOVES FOR A COMMITTEE ON THE ROMAN CATHOLIC PETITION.

May 13. 1805.

IN the month of April, Mr. Grattan was returned for Malton, a Yorkshire borough, and in the ensuing month he took his seat for the first time in the Imperial Parliament. Much curiosity was naturally excited to hear a speaker of whom so much had been said, and who, in his own country, had acted so conspicuous a part in obtaining for her a constitution, and in defending it at the period of its extinction; an opportunity soon presented itself, on the subject of the Roman Catholic Petition, which had been entrusted to Mr. Fox, and which, on the 25th of March, he presented to the House. It was read and laid upon the table. The 10th of May was named as the day on which he meant to bring forward a motion upon the subject, this was altered to the 13th, when, after a long and able speech, in which he reviewed the policy of Great Britain towards Ireland, set forth the disabilities under which the Roman Catholics laboured, and the fidelity with which they had adhered to the fortunes of Great Britain, he concluded by moving, "That the petition be referred to the consideration of a committee of the whole House:" this was opposed by Dr. Duigenan, who entered into a long and violent invective against the Roman Catholics; he quoted several obsolete decrees of Rome, and acts of various councils, and declared that the Catholics were hostile to the connection with Great Britain, and that any bill in favour of their liberties, would be a violation of His Majesty's coronation oath: after he had concluded,

Mr. GRATTAN rose, he said, to avoid the example of the member who had just sat down, and instead of calumniating either party, to defend both.

The past troubles of Ireland, the rebellion of 1641, and the wars which followed, (said the honourable gentleman,) I do not wholly forget, but I only remember them to deprecate the example and renounce the animosity. The penal code which went before, and followed those times, I remember also, but only enough to know, that the causes and reasons for that code have totally expired; and as on one side the

Protestant should relinquish his animosity on account of the rebellions, so should the Catholics relinquish their animosity on account of the laws. The question is not stated by the member; it is not whether you will keep in a state of disqualification a few Irish Catholics, but whether you will keep in a state of languor and neutrality a fifth of the empire; before you impose such a sentence on yourself, you will require better arguments than those which the member has advanced; he has substantially told you that the Irish Catholic church, which is, in fact, more independent than the Catholic church here, is the worst in Europe; that the Irish Catholics, our own kindred, are the worst of papists; that the distinction, a distinction made by the law, propounded by ourselves, and essential to the state, between temporal and spiritual power, is a vain discrimination, and that the people of Ireland, to be good Catholics, must be bad subjects: and finally, he has emphatically said, "that an Irish Catholic never is, never was, never will be, a faithful subject to a British Protestant king:" his words are, 'they hate all Protestants and all Englishmen.' Thus has he pronounced against his country three curses: eternal war with one another, eternal war with England, and eternal peace with France; so strongly does he inculcate this, that if a Catholic printer were, in the time of invasion, to publish his speech, that printer might be indicted for treason, as the publisher of a composition administering to the Catholics a stimulative to rise, and advancing the authority of their religion for rebellion. His speech consists of four parts; — 1st, an invective uttered against the religion of the Catholics; 2d, an invective uttered against the present generation; 3d, an invective against the past; and 4th, an invective against the future: here the limits of creation interposed, and stopped the member. It is to defend those different generations, and their religion, I rise; to rescue the Catholic from his attack, and the Protestants from his defence.

The civil interference of the Pope, his assumed power of deposition, together with the supposed doctrine, that no faith was to be kept with heretics, were the great objections to the claims of the Catholics; to convict them, the learned doctor has gone forth with a sinister zeal to collect his offensive materials, and behold he returns laden with much disputed comment, much doubtful text, much of executive decrees, and of such things as are become obsolete, because useless, and are little attended to, because very dull and very uninteresting, and wherein the learned gentleman may, for that reason, take many little liberties in the way of misquotation,

or the way of suppression ; all these, the fruits of his unprofitable industry, he lays before you : very kindly and liberally he does it, but of this huge and tremendous collection, you must reject a principal part, as having nothing to say to the question, namely, all that matter which belongs to the court of Rome as distinct from the church ; 2dly, of the remnant after that rejection, you must remove every thing that belongs to the church of Rome which is not confined to doctrine regarding faith and moral, exclusive of, and unmixed with, any temporal matter whatever ; after this correction, you will have reduced this gentleman of the fifteenth century to two miserable canons, the only rewards of his labour, and result of his toil, both passing centuries before the Reformation, and therefore not bearing on the Protestant or the Reformers ; the first is a canon excommunicating persons who do not abide by a profession of faith contained in a preceding canon, which notably concludes with the following observation, that virgins and married women may make themselves agreeable to God ; now I cannot think such a canon can excite any grave impression or alarm in this House, passed six hundred years ago, three hundred years before the birth of the reformation made by lay princes, as well as ecclesiastics, and never acknowledged or noticed in these islands, even in times of their popery. The other canon, that of Constance, goes to deny the force of a free passport, or safe conduct to heretics, given by temporal princes in bar of the proceedings of the church. Without going farther into that canon, it is sufficient to say, that it is positively affirmed by the Catholics, that this does not go farther than to assert the power of the church to inquire into heresy, notwithstanding any impediments from lay princes ; and farther, there is an authority for that interpretation, and in contradiction to the member's interpretation, not only above his authority, but any that it is in his studies to produce : I mean that of Grotius, who mentions, that the imputation cast on the Catholics on account of this canon is unfounded. Here I stop, and submit, that the member is in the state of a plaintiff, who cannot make out his case, notwithstanding his two canons ; that he has failed most egregiously, and has no right to throw the other party on their defence ; however, the Catholics have gone as far as relates to him gratuitously into their case, and have not availed themselves of the imbecility of their opponents, and they have been enabled to produce on the subject of the above charges, the opinion of six universities, to whom those charges, in the shape of queries, have been submitted : Paris, Louvaine, Salamanca, Douey, Valladolid, Alcala. These universities

have all answered, and have, in their answers, not only disclaimed the imputed doctrines, but disclaimed them with abhorrence. The Catholics have not stopped here; they have drawn up a declaration of nine articles, renouncing the imputed doctrines, together with other doctrines, or views objected to them; they have gone farther, they have desired the Protestants to name their own terms of abjuration: the Protestants have done so, and here is the instrument of their compact — it is an oath framed by a Protestant parliament, principally manufactured by the honourable member himself, in which the Irish Catholics not only abjure the imputed doctrine, but are sworn to the state, and to the present establishment of the Protestant church in Ireland, and to the present state of Protestant property; this oath has been universally taken, and by this oath, both parties are concluded, the Catholics from resorting to the abjured doctrines, and the Protestant from resorting to the abjured charge; therefore, when the member imputes, as he has done, to the Catholic, the principles hereby abjured, it is not the Catholic who breaks faith with him, but it is he who breaks faith with the Catholic. He acts in violation of the instrument he himself formed, and is put down by his own authority; but the Catholics have not only thus obtained a special acquittal from the charges made against them in this debate, they have obtained a general acquittal also.

The most powerful of their opponents, the late Earl of Clare, writes as follows: "They who adhere to the church of Rome are good Catholics, they who adhere to the court of Rome are traitors;" and he quotes Lord Somers as his authority, in which he entirely acquiesces, and acknowledges their innocence in their adherence to the church of Rome as distinct from the court; a test, such as I have already mentioned, is formed in Ireland, abjuring the doctrine of the court of Rome, and reducing their religion to the church of Rome. This test, together with a number of other other articles, is reduced to an oath, and this oath is introduced into an act of parliament, and this oath, thus legalised, is taken universally; here again are the opponents to the Catholic, concluded by their own concessions; by tendering an oath to Catholics, they allow an oath to be a test of sincerity; by framing that oath under these circumstances, they make it a test of pure Catholicism; and by their own argument, they pronounce pure Catholicism to be innoxious; but the honourable member has gone a little farther than pronounce the innocence of the Catholics; he has pronounced the mischievous consequences of the laws that proscribe them;

he has said, in so many words, that an Irish Catholic never is, and never will be, faithful to a British Protestant king; he does not say every Catholic, for then he would include the English Catholics and those of Canada; nor does he say every Irishman must hate the king, for then he would include every Protestant in Ireland: the cause of the hatred is not then in the religion nor in the soil; it must be then in the laws, in something which the Protestant does not experience in Ireland, nor the Catholics in any country but in Ireland, that is to say, in the penal code; that code then, according to him, has made the Catholics enemies to the king; thus has he acquitted the Catholics and convicted the laws. This is not extraordinary, it is the natural progress of a blind and a great polemic; such characters, they begin with a fatal candour, and then precipitate to a fatal extravagance: and are at once undermined by their candour and exposed by their extravagance: so with the member, he hurries on, he knows not where, utters, he cares not what, equally negligent of the grounds of his assertions and their necessary inferences; thus, when he thinks he is establishing his errors, unconsciously and unintentionally he promulgates truth, or rather, in the very tempest of his speech, Providence seems to govern his lips, so that they shall prove false to his purposes, and bear witness to his refutations; interpret the gentleman literally, what blasphemy has he uttered? He has said, that the Catholic religion, abstracted as it is at present in Ireland from Popery, and reduced as it is to mere Catholicism, is so inconsistent with the duties of morality and allegiance, as to be a very great evil. Now, that religion is the Christianity of two-thirds of all Christendom, it follows, then, according to the learned doctor, that the Christian religion is in general a curse: he has added, that his own countrymen are not only depraved by religion, but rendered perverse by nativity; that is to say, according to him, blasted by their Creator, and damned by their Redeemer. In order, therefore, to restore the member to the character of a Christian, we must renounce him as an advocate, and acknowledge that he has acquitted the Catholics whom he meant to condemn, and convicted the laws which he meant to defend. But though the truth may be eviscerated from the whole of the member's statement, it is not to be discerned in the particular parts, and therefore it is not sufficient to refute his arguments; 'tis necessary to controvert his positions — the Catholics of Ireland, he says, hate the Protestants, hate the English, and hate the king. I must protest against the truth of this position; the laws, violent as they were, mitigated as for the last seventeen years they have

been, the people, better than the laws, never could have produced that mischief: against such a position I appeal to the conscious persuasion of every Irishman. We will put it to an issue: the present chief governor of Ireland is both an Englishman and the representative of English Government. I will ask the honourable gentleman whether the Irish hate him? If I could believe this position, what could I think of the Protestant ascendancy, and what must I think of the British connexion and Government, who have been for six hundred years in possession of the country, with no other effect, according to this logic, than to make its inhabitants abhor you and your generation; but this position contains something more than a departure from fact: it says, strike France, strike Spain, the great body of the Irish are with you; it does much more, it attempts to give the Irish a provocation, it teaches you to hate them, and them to think so, and thus falsehood takes its chance of generating into a fatal and treasonable truth. The honourable gentleman, having misrepresented the present generation, mis-states the conduct of their ancestors, and sets forth the past rebellions as proceeding entirely from religion. I will follow him to those rebellions, and show, beyond his power of contradiction, that religion was not, and that proscription was, the leading cause of those rebellions. The rebellion of 1741, or let me be controverted by any historian of authority, did not proceed from religion; it did proceed from the extermination of the inhabitants of eight counties in Ulster, and from the foreign and bigoted education of the Catholic clergy, and not from religion. The rebellion of the Pale, for it was totally distinct in period or cause from the other, did not proceed from religion: loss of the graces, (they resembled your petition of right, except that they embraced articles for the security of property,) disarmament of the Catholics, expulsion of them in that disarmed state from Dublin, many other causes, order for the execution of certain priests; you will not forget there was an order to banish their priests in James the First's time, and to shut up their chapels in Charles the First's; these were the causes: there was another cause — you were in rebellion, Scotland was in rebellion; there was another cause, the Irish Government was in rebellion; they had taken their part with the republicans, and wished to draw into treason the Irish freeholders, that, with the forfeiture of another's rebellion, they might supply their own. I go back with concern to these times, I see much blood, no glory; but I have the consolation to find, that the causes were not lodged in the religion or the soil, and that all of them, but the proscriptive cause, have

vanished. I follow the member to another rebellion, which should properly be called a civil war, not a rebellion; it proceeded from a combination of causes which exist no longer, and one of those causes was the abdicating king at the head of the Catholics; and another cause was the violent proscription carried on against the Catholics by the opposite and then prevailing party: these causes are now no more, or will the member say there is now an abdicating prince, or now a popish plot, or now a pretender. There are causes most certainly sufficient to alarm you, but very different, and such as can only be combated by a conviction, that as your destinies are now disposed of, it is not the power of the Catholics which can destroy, or the exclusion of the Catholics that can save you. The conclusion I draw from the history above alluded to, is very different from that drawn by the member, and far more healing; conclusions to show the evils arising from foreign connexions on one side, and from domestic proscription on the other. If all the blood shed on those occasions, if the many fights in the first, and the signal battles in the second period, and the consequences of those battles to the defeated and the triumphant — to the slave that fled, and to the slave that followed — shall teach our country the wisdom of conciliation, I congratulate her on those deluges of blood; if not, I submit, and lament her fate, and deplore her understanding, which would render not only the blessings of Providence, but its visitations fruitless, and transmit what was the curse of our fathers as the inheritance of our children.

The learned gentleman proceeds to mis-state a period of one hundred years; namely, the century that followed the revolutions; and this he makes a period of open or concealed rebellions; the sources of his darkness and misinformation are to be found in history and revelation: of his charges against that period he brings no proof; none of those on the same side with him can bring any: they heard from such a one who heard from such a one: I neither believe them nor such a one, and I desire so many generations may not be convicted on evidence that would not be admitted against the vilest caitiff, and that in opposition to evidence by which that vilest caitiff would be acquitted, in opposition to the authority of four acts of parliament; the act of 1778, which declares their loyalty for a long series of years, that of 1782, that of 1793, and further, against the declared sense of government, who in the year 1762, proposed to raise four Catholic regiments, because the Catholics had proved their allegiance against the authority of the then Irish Primate who supported that measure; and in his speech on that subject assigns, as his reason, that

after his perusal of Mr. Murray's papers, nothing appeared against the Irish Catholics of any connection whatsoever with the rebellion of that period. The member, he proceeds to the rebellion of 1798, and this he charges to the Catholics; and against his charge I appeal to the report of the committee of the Irish House of Commons in 1797, in which is set forth the rebel muster, containing 99,000 northerns enrolled in rebellion, and all the northern counties organized: at the time in which the committee of the House of Commons states the rebellion of the north, the dispatches of government acknowledged the allegiance of the south; to those dispatches I appeal, written at the time of Hoche's projected invasion, and applauding the attachment and loyalty of the southern counties, and their exertions to assist the army on its march to Cork, to oppose the landing of the French. If you ask how the rebellion spread and involved the Catholics, I will answer, and tell you, that as long as the proscriptive system continues, there will be in our country a staminal weakness, rendering the distempers to which society is obnoxious, not only dangerous, but deadly; every epidemic disease will bring the chronic distemper into action; it is the grape-stone in the hand of death which strikes with the force of a thunderbolt. If you have any apprehension on this account, the error is to be found in yourselves, in human policy, not in religion; in the fallibility of man, not of God. If you wish to strip rebellion of its hopes, France of her expectations, reform that policy; you will gain a victory over the enemy, when you gain a conquest over yourselves. But I will for a moment accede to the member's statement against facts and history: what is his inference? during one hundred years of the proscriptive system, the state has been in imminent danger; therefore, adds he, continue the system, here is the regimen under which you have declined — persevere: but the member proceeds to observe, that you cannot hope to reconcile whom you cannot hope to satisfy, and he instances the repeal of the penal code. I deny the instances: the repeal in 1778 and 1782 did reconcile and did satisfy; accordingly you will find, that the Irish Catholics in 1779 and 1780, 1781 and 1782, were active and unanimous to repel the invasion threatened at that time, when the French rode in the channel, and Ireland was left to the care of 6000 regulars, and was only defended from invasion by the spirit and loyalty of the Catholics, in harmony and in arms with their Protestant brethren. The repeal of a principal part of the penal code in 1793 did not reconcile, and did not satisfy; it was, because the Irish government of that time was an enemy to the repeal and to the Catholics, and pre-

vented the good effects of that measure. That government, in the summer of 1792, had sent instructions (I know the fact to be so) to the grand juries to enter into resolutions against the claims of the Catholics. Their leading minister appeared himself at one of the county meetings, and took a memorable part of hostility and publicity. When the petition of the Catholics was recommended in the King's speech in 1793, the Irish minister answered the king, and with unmeasured severity attacked the petitioners. When the bill, introduced in consequence of His Majesty's recommendation, was in progress, the same minister, with as unmeasured severity, attacked the bill, and repeated his severity against the persons of the Catholics. When the same bill of reconciliation, in consequence of the recommendation and reference of the petition, was in its passage, the Irish government attempted to hang the leading men among the petitioners, and accordingly Mr. Bird and Mr. Hamilton were, by their orders, indicted for a capital offence, I think it was Defenderism; and so little ground was there for the charge, that those men were triumphantly acquitted, and the witnesses of the crown so flagrantly perjured, that the judge, I have heard, recommended a prosecution. These were the causes why the repeal of 1793 did not satisfy; and in addition to these, because the Irish administration took care that the Catholics should receive no benefit therefrom, opposing them with their known partizans and dependants, seldom giving them any office, (there are very few instances in which they got any,) and manifesting in the government a more active enemy than before the Catholic had experienced in the law. I refer to the speeches delivered and published at the time by the ministers and servants of the Irish government, and persisted in, and delivered since; read them, and there you will see an attack on all the proceedings of the Irish people; from the time of their address for free trade, all their proceedings, such as were glorious, as well as those that were intemperate, without discrimination, moderation, or principle; there you will see the Irish ministry engaged in a wretched squabble with the Catholic committee, and that Catholic committee replying on that ministry, and degrading that ministry more than it had degraded itself; and you will further perceive the members of that ministry urging their charges against the members of that committee, to disqualify other Catholics who were not of the committee, but opposed it; so that by their measures against the one part of the Catholics, and their invective against the other, they take care to alienate, as far as in them lay, the whole body. The fact is, the project of conciliation in 1793, recommended in the

speech from the throne, was defeated by the Irish cabinet, who were at that time on that subject in opposition; and being incensed at the British cabinet for the countenance afforded to the Catholics, punished the latter, and sowed those seeds which afterwards, in conjunction with other causes, produced the rebellion.

I leave the member, and proceed to discuss the differences now remaining that discriminate His Majesty's subjects of the Protestant and Catholic persuasion. Before we consider how far we differ, it is necessary to examine how far we agree; we acknowledge the same God, the same Redeemer, the same consequences of redemption, the same Bible, and the same Testament. Agreeing in this, we cannot, as far as respects religion, quarrel about the remainder; because their merits as Christians must, in our opinion, outweigh their demerits as Catholics, and reduce our religious distinctions to a difference about the eucharist, the mass, and the Virgin Mary; matters which may form a difference of opinion, but not a division of interest. The infidel, under these circumstances, would consider us as the same religionists, just as the French would consider us, and cut us down as the same community. See whether we are not agreed a little farther, and united by statute as well as religion; the preamble of three acts declare the Catholics to be loyal subjects; the act of 1778 declares that they have been so for a series of years; the same act declares that they should be admitted into the blessings of the constitution; the act of 1793 goes farther, and admits them into a participation of those blessings; thus is the principle of identification established by the law of the land, and thus are the Catholics, by that law, proclaimed to be innocent, and the calumniators of the Catholics guilty. Let us consider their situation under these laws, professedly and in principle admitted to every thing except seats in parliament, and certain offices of state; they are, in fact, excluded from every thing, under the circumstances of paying for every thing: (the few places they enjoy make no exception:) they pay their proportion of money to the navy, and contribute one-third to its numbers, and have not a commission; they contribute to the expences of the army, and to one-third of its numbers, and have not a commission; and shall I now be asked, how are the Catholics affected by this? or be told that the Catholic body would not be served by the removal of this; how would the Protestant body be affected, if only removed from the state, the parliament, the navy, and the army? in addition to this, I am to add the many minor injuries done to the Catholics, in ways that must be felt, and cannot be calculated;

the incalculable injury done to the Catholic mind, by precluding it from objects of ambition, and to the Catholic spirit, by exposing it to taunts and insults — you cannot be at a loss for an instance, such as is uttered by the vilest of the Protestants against the first of the Catholics. I am to add the mischief done to the morals of the country, by setting up a false standard of merit, by which men, without religion, morals, or integrity, shall obtain, by an abhorrence of their fellow-subjects, credit and consequence, and acquire an impunity for selling the whole community, because they detest a part of it. You see it is impossible for any one part of the society to afflict the other, without paying the penalty, and feeling the consequences of its own bad policy in the re-action of its own bad passions. I am to add the mischief done to the peace of the country among the lower orders, when the spirit of religious discord descends, and the holiday becomes a riot, and the petty magistrate turns chapman and dealer in politics, theologian and robber, makes for himself a situation in the country, by monstrous lies, fabricates false panics of insurrection and invasion, then walks forth the man of blood; his creditors tremble; the French do not; and atrocities, which he dare not commit in his own name, perpetrates for the honor of his king, and in the name of his Maker. I have heard of the incivilization of Ireland; too much has been said on that subject: I deny the fact: a country exporting above five millions, even at your official value, above half a millions of corn, three millions of linen, paying nine million to the state, cannot be barbarous; a nation connected with you for six hundred years, (what do you say?) cannot be barbarous. If France should say so, you should contradict her, because it is not on Ireland, but on you the reflection must fall; but if any thing, however, delays the perfect and extensive civilization of Ireland, it is principally her religious animosity; examine all the causes of human misery, the tragic machinery of the globe, and the instruments of civil rage and domestic murder, and you find no demon is like it, because it privileges every other vice, and amalgamates with infidelity, as well as with murder; and conscience, which restrains other vices, becomes a prompter here. To restrain this waste, and this conquest, exercised over your understanding, your morals, and your fortune, my honourable friend makes his motion.* Come, let us hear the objections: the Catholics, they say, should not have political power: why, they have it already;

* The present Lord Lieutenant of Ireland has done much to reconcile, but his mild integrity and good sense must be aided by Parliament.

they got it when you gave them landed property, and they got it when you gave them the elective franchise. "Be it enacted, that the Catholics shall be capable of holding all offices, (civil and military, except") and then the act excludes a certain numeration.

This is the act of 1793; and is not this political power allowed by act of parliament? So that the objection goes not so much against the petition as against the law, and the law is the answer to it. The reasons they give for objecting to the law are, 1st, That the Catholics do not acknowledge the King to be the head of their church. To require a person of the Catholic faith to acknowledge a person of another religion, who makes no very encouraging declarations towards them, to be the head of the Catholic church, is going very far; but to make the with-holding such acknowledgement, the test of disaffection, is going much farther; farther than reason, and farther than the law, which does not require such test, but is satisfied with a negative oath, and therefore the Presbyterian who makes no such acknowledgment may sit in parliament; so that here the objector is answered again by the law, and the reason he gives in opposition to the law shows that the legislature is wiser than the objector. The reason alleged is, that he who allows His Majesty to be the head of his church has more allegiance, because he acknowledges the king in more capacities; according to this, the Turk has more allegiance than either, for he acknowledges the Grand Seignior in all capacities; and the Englishman has less allegiance than any other subject in Europe, because, whereas other European subjects acknowledge their king in a legislative as well as an executive capacity, the English acknowledge their king in the latter capacity only; but such men know not how to estimate allegiance which is not measured by the powers which you give, but by the privileges which you keep: thus your allegiance is of an higher order, because it is rendered for the proud circumstances belonging to an Englishman, to the peer who has his rank, the commoner who has his privileges, and the peasant who has his magna charta. The Catholic too,—he has an interest in his allegiance; increase that interest, that is, increase this privilege, you increase the force of the obligation, and with it your own security; but here again the objector interposes, and alleges, that the Catholic does not only not acknowledge the king to be the head of their church, but acknowledges a foreign power:—whom? I cannot find him. There was indeed a power which you set up in the last war and guarded with your troops; is that the memory at which gentlemen

tremble? A sort of president, or chair, in whose name the business of the Catholic church is conducted, for whom no Catholic would fight; and against whom the Irish Catholic would fight, if he came into their country at the head of an invading army; they have said so. You will recollect how little you yourselves feared that name, when you encompassed and preserved it, at the very time of the Irish rebellion; and now do gentlemen set it up and bring it back again into the world, as a principle likely to influence the action of the Irish? But then I here received an answer to this, viz. that Bonaparte has gotten possession of the power and person of the Pope. What power? He had no power before his captivity, and therefore he became a captive; he has not found his power in his captivity, or will you say, that he could now disband an Austrian army or an Irish army, or that if he were to issue out his excommunications, your seamen and soldiers would desert. Such the power of the Pope, such your fear of it, and such is the force of their argument. What is the policy of it? Bonaparte has gotten the Pope; give him the Catholics: but here the objector interposes again, and tells us, it is in vain to look for harmony with the Catholics, inasmuch as they deliver us, the Protestants, to damnation: gravely they say this, soberly they say this, in the morning, and according to this you must not only repeal your laws of toleration, but you must disband part of your army and your navy, and disqualify your electors. The Catholic who hears this produces a Protestant creed, which does the same thing, and damns his sect likewise; the Infidel, who listens, agrees with both, and triumphs and suggests that it were better not to cast off your people, but to shake off your religion. So Volney makes all sects contend, and all conquer, and religion the common victim; the truth is, exclusive salvation was the common phrenzy of all sects, and is the religion of none, and is now not rejected by all, but laughed at; so burning one another as well as damning one another, you can produce instances — they can produce instances: it was the habit of the early Christians to anathematize all sects but their own. No religion can stand, if men, without regard to their God, and with regard only to controversy, shall rake out of the rubbish of antiquity the obsolete and quaint follies of the sectarians, and affront the majesty of the Almighty, with the impudent catalogue of their devices; and it is a strong argument against the proscriptive system, that it helps to continue this shocking contest; theologian against theologian, polemic against polemic, until the two madmen defame their common parent, and expose their com-

mon religion. With arguments such as these it is urged, that the laws were in error which gave the Catholic political power; and, it is further added, that he will use that political power to destroy the church. I do not think they have now said, He will destroy the present state of property: bigotry has retired from that post, and has found out, at last, that the Catholics cannot repeal the act of settlement in Ireland, by which the property of the country was ascertained, until they become the Parliament; nor become the Parliament, till they get the landed property of the country; and, that when they get that property, that they will not pass an act to set aside their titles to it. Further, it is now understood that the Protestant title is by time; that there are few old Catholic proprietors, a multitude of new ones; that the Catholic tenantry hold under Protestant title; and, therefore, that there is, in support of the present state of property in Ireland, not only the strength of the Protestant interest, but the physical force of the Catholics; therefore the objectors have judiciously retired from that ground, and now object to Catholic power, as certain to destroy the Protestant church. How? They must do it by act of legislation, or by act of force; by act of legislation they cannot, and by force they would not; they would not by act of force, because the measures proposed, which do not go to increase the force, do go decisively to remove the animosity: or will you say, when you give them every temporal motive to allegiance, they will become rebels; that when, indeed, they had rights of religion, rights of property, rights of election, they were loyal; but when you gratified their ambition likewise, then they became disaffected, and ready to sacrifice all their temporal rights and political gratifications. In order to do what? To get a larger income for their clergy; that is, that their bishops should drink more claret, and wear finer clothes; and with whose assistance should they do this? With the aid of the French, who starve their clergy; the ordinary principles of action: the human motives that direct other men, according to these reasoners, are not to be found in the Catholic; nature is in him reversed; he is not influenced by the love of family, of property, of privilege, of power, or any human passions, according to his antagonists, no more than his antagonists appear in their logic influenced by human reason; and therefore it is, these reasoners deal mostly in the prophetic strain — a prophet's fury, and his blindness, much zeal, and no religion. I would ask them, what authority have they for thus introducing the church as an obstacle to the advantages of the state. Is it political, or is it moral, to deprive the Catholics of the franchises of the

constitution, because they contribute to the church, lest on obtaining those franchises they should pass laws withholding that contribution, as if you had any right to make that supposition, or any right to insist on that perilous monopoly, which should exclude them at once from church and state, that they might pay for both without compensation? The great preachers of our capital have not said so; Mr. Dunn, that meek spirit of the gospel, he has not said so; Mr. Douglass, in his strain of piety, morals, and eloquence, he has not said so; nor the great luminary himself; he who has wrung from his own breast, as it were, near 60,000*l.*, by preaching for public charities, and has stopped the mouth of hunger with its own bread, HE has not said so. I ask not what politicians may instil and may whisper, but what have the laborious clergymen preached and practised?

But the Revolution, it seems, is an eternal bar: they find the principles of slavery in the Revolution, as they have found those of darkness in the Revelation. If they mean to measure the privileges of the empire by the model existing at the Revolution, they must impose on Ireland eternal proscription; for at that time she was deprived of the rights of trade and constitution, and the Catholics of all rights whatsoever; and they must impose on the empire two opposite principles of action, the free system for England, and the proscriptive principle for the rest; they are then to make Ireland fight for British liberty and Irish exclusion; their argument is therefore not only a wicked wish, but a vain one; nor is this the practice of other countries — those countries do not require the religion of the public officer to be the religion of the state; their practice has been notoriously otherwise: they who said the contrary, labour under a glaring error; nor will you be able to encounter France, and the other nations of Europe, if they shall avail themselves of the talents of all their people, and you will oppose them by only a part of yours. It follows, then, whether you look to the principles of liberty or empire, that you cannot make the proscriptive system of the Revolution the measure of empire; you must then make the principles of the Revolution that measure: what are those principles? Civil and religious liberty: they existed at that time in full force for you; they existed as seminal principles for us; they were extended to the Protestant part of Ireland a century after; they remain now to be extended to the Catholics; then will your revolution be completed, not overthrown; then will you extend the principles of your empire on those of your constitution, and have secured a uniformity of action, by creating an identity of interest; thus will you have simplified

the imperial and constitutional motions to one and the same principle of action, moving you in your home and in your imperial orbit, informing the body of your laws, and vivifying the mass of your empire. The petition of the county of Oxford states, the Catholics have ever been enemies to freedom, just as the controversialists have said the Catholics must be enemies to the King; yet the Revolution, from whose benefits you are to exclude the Catholics, was founded on a model formed and moulded by Catholics; the declaration of right being almost entirely declaratory of rights and privileges secured by your Catholic ancestors: one of your great merits at the Revolution was not to have exceeded that model; but on the contrary, you restrained popular victory, and restored establishments, and kindled a modest spirit, which has outlasted the French conflagration; a vital heat which then cheered you, which now should cheer the Catholic, and giving light and life to both, I hope will be eternal. The great objects, church, state, and property, I adopt with the controversialist, and beg to rescue them from his wisdom, to give them, for their support, the physical force of the Catholic body, inasmuch as our danger does not arise from the possible abuse of his constitutional power, but from the possible abuse of his physical force to obtain that constitutional power: in all this debate, you will observe, we argue as if we had but one enemy, the Catholic, and we forget the French; and here, what I said to the Irish Parliament, on the Catholic question, I will repeat to you: I said to them, "The post you take is injudicious — independency of the British Parliament, exclusion of the Irish Catholics, a post to be kept against the power of one country and the freedom of the other."

I now say to you, the post you would take is injudicious; a position that would keep France in check, and Ireland in thralldom; to be held against the power of one country, and the freedom of the other. There are three systems for Ireland; one, such as Primate Boulter has disclosed, a system to set the people at variance, on account of religion, that the government might be strong, and the country weak; a system, (such a one as prevailed when I broke her chain,) which made the minister too strong for the constitution, and the country too weak for the enemy; a system, which one of its advocates had described, when he said the Protestants of Ireland were a garrison in an enemy's country; and which another gentleman has described, when he considered Ireland as a *caput mortuum*: this system has failed; it ought to have failed; it was a party government, and a party god.

There is another — extermination, that will not do; the ex-

termination of three millions of men would be no easy task in execution, no very charitable measure in conception; the justices of 1641 had dreamed of it, Cromwell had attempted, Harrington had talked of it. I hold the extermination of the people, and even of their hierarchy, to be such an experiment as will not be proposed by any gentleman who is perfectly in his senses; extermination then will not do; what is left? the partial adoption of the Catholics has failed; the eradication of the Catholics cannot be attempted; the absolute incorporation remains alone; their is no other; or did you think it necessary to unite with the Irish Parliament, and do you hesitate to identify with the people: see whether you can conduct your empire on any other principle; the better to illustrate this, and in order to ascertain the principles of your empire, survey its comprehension; computing your West Indies and your eastern dominions, England has now, with all deference to her moderation, a very great proportion of the globe. On what principle will she govern that portion? On the principles on which Providence governs the remainder: when you make your dominions commensurate with a great portion of her works, you should make your laws analogous to her dispensations; and as there is no such thing as an exclusive Providence, so neither, considering the extent of your empire, should there be such a thing as an exclusive empire, but such a one as accommodates to peculiar habits, religious prejudices, prepossessions, &c. &c. You do not, in your dispatches to your generals, send the Thirty-nine Articles; you know the bigot and conqueror are incompatible: Lewis XIV. found it so. You know that no nation is long indulged in the exercise of the two qualities, bigotry to proscriber at home, ambition to disturb abroad: such was your opinion when you established popery in Canada — I do not speak of Corsica: such your opinion when you recruited for the foot in Ireland. It was in the American war this practice began; then you found that the principle of exclusive empire would not answer, and that her test was not who should say her prayers, but who should fight her battles: on the same principle, the Irish militia, which must be, in a great proportion, Catholic, stands, and on the same principle the Irish yeomanry, who must be in a far more considerable proportion Catholic, stand; and on the same principle, you have recruited for the navy in Ireland, and have committed your sea thunder-bolt to Catholic hands. Suppose, in Egypt, the General had ordered the Catholics to go out of the ranks; or if in one of your sea-fights, the admiral had ordered all the Catholics on shore, what had been the consequence? It is

an argument against the proscriptive system, that if adopted practically in navy or army, the navy and army, and empire, would evaporate; and shall we now proclaim these men, or hold such language as the member; language, which if he held on the day of battle, he must be shot; language for which, if a Catholic, he must be hanged; such as you despised in the case of Corsica and of Canada, in the choice of your allies, in the recruiting your army and your navy, whenever your convenience, whenever your ambition, whenever your interest required: or let us turn from the magnitude of your empire to the magnitude of its danger, and you will observe, that whereas Europe was heretofore divided in many small nations of various religions, making part of their civil policy, and with alliances, influenced in some degree, and directed by those religious distinctions, where civil and religious freedom were supposed to be drawn up on one side, and on the other, popery and arbitrary power; so now the globe has been divided anew—England and France. You have taken a first situation among mankind, you are of course precluded from a second. Austria may have a second situation, Prussia may have a second, but England seems to have linked her post and being to her glory, and when she ceases to be the first, she is nothing. According to this supposition, and it is a supposition which I do not frame, but find in your country, the day may not be very remote, when you will have to fight for being, and for what you value more than being, the ancient renown of your island: you have said it yourselves, and you have added, that Ireland is your vulnerable part: why vulnerable? Vulnerable, because you have misgoverned her; it may then happen, that on Irish ground, and by an Irish hand, the destinies of that ancient monarchy, called Britain, may be decided. Accordingly you have voted your army, but you have forgot to vote your people; you must vote their passions likewise. Horrors at the French proceedings will do much, but it is miserable to rely on the crimes of your enemies always, on your own wisdom never; besides, those horrors did not prevent Prussia from leaving your alliance, nor Austria from making peace, nor the United Irishmen from making war. Loyalty will do much; but you require more—patience under taxes and loans, such as are increased far beyond what we have been accustomed to, from one million and a half to nine millions, nor patience only, but ardour. The strong qualities, not such as the scolding dialect of certain gentlemen would excite; a fire, that in the case of an invasion will not sit as a spy on the doubt of the day and calculate, but though the first battle should be unsuccessful, would, with a desperate

fidelity, come on and embody with the destinies of England. It is a wretched thing to ask how would they act in such a case. What, after a connection of six hundred years, to thank your admiral for your safety, or the wind, or any thing but your own wisdom; and therefore the question is not whether the Catholics shall get so many seats, but whether you shall get so many millions; in such a case, you would have all people. What is it that constitutes the strength and health of England, but this sort of vitality, that her privileges, like her money, circulate every where, and centre no where; this it was which equality would have given, but did not give France; this it was which the plain sense of your ancestors, without equality, did give the English; a something, which limited her kings, drove her enemies, and made a handful of men fill the world with their name. Will you, in your union with Ireland, withhold the regimen which has made you strong, and continue the regimen which has made her feeble? You will further recollect, that you have invited her to your patrimony, and hitherto you have given her taxes, and an additional debt; I believe it is an addition of twenty-six millions: the other part of your patrimony, I should be glad to see it; talk plainly and honestly to the Irish; "It is true your taxes are increased, and your debts multiplied; but here are our privileges, great burthens, and great privileges; this is the patrimony of England, and with this does she assess, recruit, inspire, consolidate." But the Protestant ascendancy, it is said, alone can keep the country; namely, the gentry, clergy, and nobility, against the French, and without the people: it may be so; but in 1641, above ten thousand troops were sent from England to assist that party; in 1689, twenty-three regiments were raised in England to assist that party; in 1798, the English militia were sent over to assist that party: what can be done by spirit will be done by them; but would the city of London, on such assurances, risk a guinea? The Parliament of Ireland did risk every thing, and are now nothing; and in their extinction left this instruction, not to their posterity, for they have none; but to you, who come in the place of their posterity, not to depend on a sect of religion, nor trust the final issue of your fortunes to any thing less than the whole of your people.

The Parliament of Ireland — of that assembly I have a parental recollection. I sate by her cradle, I followed her hearse. In fourteen years she acquired for Ireland what you did not acquire for England in a century — freedom of trade, independency of the legislature, independency of the judges, restoration of the final judicature, repeal of a perpetual mu-

tiny bill, habeas corpus act, nullum tempus act — a great work! You will exceed it, and I shall rejoice. I call my countrymen to witness, if in that business I compromised the claims of my country, or temporised with the power of England; but there was one thing which baffled the effort of the patriot, and defeated the wisdom of the senate, it was the folly of the theologian. When the Parliament of Ireland rejected the Catholic petition, and assented to the calumnies then uttered against the Catholic body, on that day she voted the Union: if you should adopt a similar conduct, on that day you will vote the separation: many good and pious reasons you may give; many good and pious reasons she gave, and she lies THERE with her many good and her pious reasons. That the Parliament of Ireland should have entertained prejudices, I am not astonished; but that you, that you who have, as individuals and as conquerors, visited a great part of the globe, and have seen men in all their modifications, and Providence in all her ways; that you, now at this time of day, should throw up dykes against the Pope, and barriers against the Catholic, instead of uniting with that Catholic to throw up barriers against the French, this surprises; and, in addition to this, that you should have set up the Pope in Italy, to tremble at him in Ireland; and further, that you should have professed to have placed yourself at the head of a Christian, not a Protestant league, to defend the civil and religious liberty of Europe, and should deprive of their civil liberty one-fifth of yourselves, on account of their religion — this surprises me; and also that you should prefer to buy allies by subsidies, rather than fellow-subjects by privileges; and that you should now stand, drawn out, as it were, in battalion, 16,000,000 against 36,000,000, and should at the same time paralyze a fifth of your own numbers, by excluding them from some of the principal benefits of your constitution, at the very time you say all your numbers are inadequate, unless inspired by those very privileges.

As I recommend to you to give the privileges, so I should recommend the Catholics to wait cheerfully and dutifully. The temper with which they bear the privation of power and privilege is evidence of their qualification: they will recollect the strength of their case, which sets them above impatience; they will recollect the growth of their case from the time it was first agitated, to the present moment; and, in that growth, perceive the perishable nature of the objections, and the immortal quality of the principle they contend for. They will further recollect what they have gotten already — rights of religion, rights of property, and above all, the elective franchise, which is in itself

the seminal principle of every thing else: with a vessel so laden, they will be too wise to leave the harbour, and trust the fallacy of any wind: nothing can prevent the ultimate success of the Catholics but intemperance. For this they will be too wise; the charges uttered against them they will answer by their allegiance: so should I speak to the Catholics. To the Protestant I would say, You have gotten the land and powers of the country, and it now remains to make those acquisitions eternal. Do not you see, according to the present state and temper of England and France, that your country must ultimately be the seat of war. Do not you see, that your children must stand in the front of the battle, with uncertainty and treachery in the rear of it. If, then, by ten or twelve seats in Parliament given to Catholics, you could prevent such a day, would not the compromise be every thing? What is your wretched monopoly, the shadow of your present, the memory of your past power, compared to the safety of your families, the security of your estates, and the solid peace and repose of your island? Besides, you have an account to settle with the empire: might not the empire accost you thus? "For one hundred years you have been in possession of the country, and very loyally have you taken to yourselves the power and profit thereof. I am now to receive at your hands the fruits of all this, and the unanimous support of your people: where is it? now, when I am beset with enemies and in my day of trial." Let the Protestant ascendancy answer that question, for I cannot. Above twenty millions have been wasted on their shocking contest, and a great proportion of troops of the line locked up in the island, that they may enjoy the ascendancy of the country, and the empire not to receive the strength of it. Such a system cannot last: their destinies must be changed and exalted; the Catholic no longer their inferior, nor they inferior to every one, save only the Catholic; both must be free, and both must fight, — but it is the enemy, and not one another: thus the sects of religion renouncing, the one all foreign connection, and the other all domestic proscription, shall form a strong country; and thus the two islands, renouncing all national prejudices, shall form a strong empire — a phalanx in the west to check, perhaps ultimately to confound the ambition of the enemy. I know the ground on which I stand, and the truths which I utter, and I appeal to the objects you urge against me, which I constitute my judges, to the spirit of your own religion, and to the genius of your own revolution; and I consent to have the principle which I maintain tried by any test, and equally sound, I contend, it will be found, whether you apply it to constitution where it is free-

dom, or to empire where it is strength, or to religion where it is light.

Turn to the opposite principle, proscription and discord — it has made in Ireland not only war, but even peace calamitous : witness the one that followed the victories of King William, to the Catholics a sad servitude, to the Protestants a drunken triumph, and to both a peace without trade and without constitution. You have seen in 1798 rebellion break out again, the enemy masking her expeditions in consequence of the state of Ireland, twenty millions lost, one farthing of which did not tell in empire, and blood barbarously, boyishly, and most ingloriously expended. These things are in your recollection : one of the causes of these things, whether efficient, or instrumental, or aggravating, the proscriptive system I mean, you may now remove ; it is a great work ! — or has ambition not enlarged your mind, or only enlarged the sphere of its action ? What the best men in Ireland wished to do but could not do, the patriot courtier, and the patriot oppositionist, you may accomplish. What Mr. Gardiner, Mr. Langrishe, men who had no views of popularity or interest, or any but the public good ; what Mr. Daly, Mr. Burgh, men whom I shall not pronounce to be dead, if their genius live in this measure ; what Mr. Forbes, every man that loved Ireland ; what Lord Pery, the wisest man Ireland ever produced ; what Mr. Hutchinson, an able, accomplished, and enlightened servant of the crown ; what Lord Charlemont, superior to his early prejudices, bending under years and experience, and public affection ; what that dying nobleman ; what our Burke ; what the most profound divines, Dr. Newcome, for instance, our late Primate (his mitre stood in the front of that measure) ; what these men supported, and against whom ? Against men who had no opinion at that time, or at any time, on the subject, except that which the minister ordered, or men, whose opinions were so extravagant, that even bigotry must blush for them : and yet those men above mentioned had not before them considerations which should make you wise — that the Pope has evaporated, and that France has covered the best part of Europe. That terrible sight is now before you ; it is a gulf that has swallowed up a great portion of your treasure, it yawns for your being — were it not wise, therefore, to come to a good understanding with the Irish now ; it will be miserable if any thing untoward should happen hereafter, to say we did not foresee this danger ; against other dangers, against the Pope we were impregnable ; but if instead of guarding against dangers which are not, we should provide against dangers which are, the remedy is in your hands — the franchises

of the constitution. Your ancestors were nursed in that cradle, the ancestors of the petitioners were less fortunate, the posterity of both born to new and strange dangers; let them agree to renounce jealousies and proscriptions, in order to oppose what, without that agreement, will overpower both. Half Europe is in battalion against us, and we are damning one another on account of mysteries, when we should form against the enemy, and march.

The Attorney-General (Mr. Percival) and Mr. Alexander opposed the motion. The debate was adjourned to the next day. It was opposed by Sir William Scott, Mr. J. Foster, the Chancellor of the Exchequer (Mr. Pitt), Mr. Archdall, Mr. Shaw, Lord de Blaquiere, Sir William Dolben, and Sir George Hill; it was supported by Dr. Laurence, Mr. George Ponsonby, Mr. Windham, Mr. Maurice Fitzgerald, Sir John Newport, Mr. John Latouche, Colonel C. Hutchinson, and Mr. Hawthorn. Mr. Fox replied.

The House divided; for the motion . . .	124
Against it	356

Majority against the motion . . . 212

Tellers for the Ayes, Earl Temple and Mr. Dillon.

For the Noes, Attorney-General and Sir Geo. Hill.

As certain observations appear in the publication of the Catholic debate, which were not heard by Mr. Grattan, or should have been answered, he authorises the following narrative:

That the Catholic question came forward in 1791, from the Catholics themselves, and that they applied in the spring of 1791 to Mr. Grattan and some others of the then opposition, and received the following answer: — “Not to link themselves with the opposition, who could not carry their question, but to obtain the consent of the government, and to resort to the Lord Lieutenant’s secretary.”

That in the beginning of 1792, after the Catholics had taken their measures, Mr. Richard Burke put to the same gentlemen the following questions,

1st, Whether they would support the Catholic claim?

2d, Whether they would present the Catholic petition? to which he received the following answer,

“That they would support the Catholics, and that they would not present that particular petition.” Another petition was then formed, and it was presented, and supported by those gentlemen.

That the petition being rejected, the Catholic committee being attacked, and a Catholic convention, of which Mr. Grattan did entirely approve, substituted, the same gentlemen did support the propriety of the petition of that convention, and the bill, pursuant to its application.

That certain overtures being made in 1794, from leading cha-

racters in the administration, to certain gentlemen of Ireland, and Mr. Grattan among others, they did decline the same, unless assurance was given, that the wishes of the Catholics should be acceded to.

That the reform of Parliament was not connected with any of the above measures, but that after the Irish House of Commons had voted a committee in 1793, to enquire into the state of the representation, Mr. Ponsonby, with the entire approbation and support of Mr. Grattan and those gentlemen, did in 1794 ask leave to bring in a bill for the reform of Parliament.

That said bill was formed in opposition to the principle of personal representation, and to the sentiment then prevalent in the north of Ireland, and being founded, as was conceived, on the true principles of the constitution, was attacked by two parties, the courtier and the democrat.

It follows from the above statement;

1st, That it is not a fact, that the Roman Catholics were excited by Mr. Grattan to bring forward their petition.

2d, That it is not a fact, that * his speeches advised them to rely on their physical strength.

3d, That it is not a fact, that Mr. Grattan "bid" for the Catholics by emancipation.

4th, That it is not a fact, that Mr. Grattan "bid" for the presbyterians by reform.

5th, That it is not a fact, that he "bid" for either.

6th, That it is not a fact, that the speeches of Mr. Grattan on those occasions caused the association of the United Irishmen.

7th, That it is not a fact, that his speeches on those occasions caused a convention in the North.

8th, That it is not a fact, that Mr. Grattan canvassed for Catholic petition in 1795, in Lord Fitzwilliam's administration, at that time, or at any time.

It is not possible it should be a fact, that the speeches alluded to should have caused the association of the Irishmen, that association existing above a year before those speeches were made.

It is not possible it should be a fact, that the Catholics were excited by those speeches to come forward, the Catholics having come forward before those speeches were made.

It is not possible it should be a fact, that those speeches caused a convention in the North, no such convention having existed after his speeches on reform were delivered.

☞ To every one of the above charges we are authorized to give a distinct contradiction; most of them are impossible, not one of them is a fact. As it has been signified to Mr. Grattan, that no personal offence was intended, to say more is judged unnecessary.

* The above remarks were made in consequence of the *published* speech of the member for Londonderry.

Death of Mr. Pitt. — Change of Ministry.

In consequence of the death of Mr. Pitt, which occurred on the 23d of January, a complete change of Ministers took place. The following are the lists of the respective administrations.

Pitt-Administration, as it stood in January, 1806.

Cabinet Ministers.

Earl Camden	President of the Council
Lord Eldon	Lord High Chancellor
Earl of Westmoreland	Lord Privy Seal
Right Hon. William Pitt	{ First Lord of the Treasury and Chancellor of the Exchequer, (Prime Minister)
Lord Barham	
Earl of Chatham	First Lord of the Admiralty
Lord Hawkesbury	Master-General of the Ordnance
Lord Mulgrave	{ Secretary of State for the Home Department
Lord Viscount Castlereagh	
Lord Harrowby	{ Secretary of State for Foreign Affairs Secretary of State for the Depart- ment of War and the Colonies, and President of the Board of Control for the Affairs of India
	{ Chancellor of the Duchy of Lan- caster

Not of the Cabinet.

Right Hon. William Dundas	Secretary at War
Right Hon. George Canning	Treasurer of the Navy
Right Hon. George Rose	{ Joint Paymasters of His Majesty's Forces
Right Hon. Lord Charles Somerset	
The Duke of Montrose	{ Joint Paymasters-General
Lord Charles Spencer	
William Huskisson, Esq.	{ Secretaries of the Treasury
W. Sturges Bourne, Esq.	
Sir William Grant	Master of the Rolls
Hon. Spencer Percival	Attorney-General
Sir Vicary Gibbs	Solicitor-General

Persons in the Ministry of Ireland.

Earl of Hardwicke	Lord Lieutenant
Lord Redesdale	Lord High Chancellor
Right Hon. Charles Long	Chief Secretary
Right Hon. John Foster	Chancellor of the Exchequer
Rt. Hon. Wm. Conyngham Plunkett	Attorney-General
Charles Kendal Bushe	Solicitor-General

Fox-Administration, as it stood in April, 1806.

GREAT BRITAIN.

President of the Council, Earl Fitzwilliam
 Lord High Chancellor, Lord Erskine
 Lord Privy Seal, Viscount Sidmouth
 First Lord of the Treasury (Prime Minister), Lord Grenville
 First Lord of the Admiralty, Lord Howick
 Master-General of the Ordnance, Earl of Moira

Secretary of State for the Home Department, Earl Spencer
 Ditto for Foreign Affairs, Right Hon. Charles James Fox
 Ditto for the Department of War and the Colonies, Right
 Hon. William Windham
 Lord Chief Justice of the Court of King's Bench, Lord Ellenborough
 Chancellor and Under Treasurer of the Exchequer, Lord Henry Petty
 [The above formed the Cabinet.]
 President of the Board of Control for the Affairs of India, Lord Minto
 Chancellor of the Duchy of Lancaster, Earl of Derby
 President of the Board of Trade, Lord Auckland
 Secretary at War, Right Hon. Richard Fitzpatrick
 Treasurer of the Navy, Right Hon. Richard Brinsley Sheridan
 Joint Paymasters-General, Earl Temple, Lord John Townshend
 Joint Postmasters-General, Earl of Buckinghamshire, Earl of Carysfort
 Secretaries of the Treasury, Right Hon. Nicholas Vansittart, John
 King, Esq.
 Master of the Rolls, Sir William Grant
 Attorney-General, Sir Arthur Pigott
 Solicitor-General, Sir S. Romilly

IRELAND.

Lord Lieutenant, Duke of Bedford
 Lord High Chancellor, Right Hon. George Ponsonby
 Chief Secretary, Right Hon. William Elliott
 Chancellor of the Exchequer, Right Hon. Sir John Newport
 Attorney-General, William Conyngham Plunkett, Esq.
 Solicitor-General Charles Kendal Bushe, Esq.

IRISH CLERGY RESIDENCE BILL.

March 13. 1806.

DR. DUIGENAN moved the order of the day for going into a committee on the Irish Clergy Residence Bill, which being read accordingly, —

Mr. GRATTAN rose to express his hope, that the honourable and learned doctor would not now persist in pushing forward this bill through the House with so much rapidity in the absence of gentlemen from that country, who certainly wished to be present at the discussion of a subject of so much importance to the clergy of Ireland: some of those gentlemen had not yet arrived in London; others were arrived, but not present. Several of them had instructed him to request the learned doctor would postpone the committal of the bill until Thursday, the 8th of May, and he hoped the learned doctor would have no objection.

Dr. Duigenan wished the honourable gentleman would be so good as to give him some reason, why he desired the further proceedings of the bill to be postponed to so distant a day. He had

brought the bill forward at the request of the Board of First Fruits in Ireland, a board composed of the Lord Chancellor, the three chief Judges of the other courts, and many of the most respectable gentlemen of Ireland. He should be glad to hear what objections could exist to the bill now before the House.

Mr. Grattan answered, that his first objection was, that a bill of this nature, in which not only the church but the state in Ireland might be eventually involved, should pass in the absence of those gentlemen who represent Ireland, and who must feel a material interest in the ecclesiastical establishment of that country, and who could not possibly attend in their places in that house until after the assizes. If it was desired that he should offer any further reasons, he must be obliged, very reluctantly, to trespass on the time of the House at greater length; but the House would have to impute that to the curiosity of the learned doctor, and not to any wish of his. His first additional objection then was, that the bill had not yet been debated, and this he conceived a strong objection. Secondly, the statement of the learned doctor, that this bill was exactly, word for word, the same with the act which had passed some sessions ago, for enforcing the residence of the English clergy; whereas the circumstances of both countries differed so materially from each other, that the measure, which might be extremely right in the one, would be very wrong in the other. To use a very homely simile, it would be like the case of a tailor, who, having made a garment exactly fitting one man, should propose it to be worn by another whom it fitted in no respect; and really the proposition of the learned doctor to impose regulations on the clergy of Ireland, which were locally and circumstantially adapted only to the clergy of this country, was rather the argument of a bad tailor than that of a profound statesman. In many parishes of Ireland there were no parishioners to whom a clergyman could minister; and therefore it must be totally unnecessary to enforce the residence of an incumbent, so long as a parish continued to be so circumstanced; nor could the analogy between the cases of both countries justify the necessity of similar regulations upon this ground. The learned doctor had mentioned the Irish Board of First Fruits, as his authority for bringing forward this bill: a board certainly composed of persons to whom he (Mr. Grattan) wished to pay every degree of deference and respect: but not one of those persons had a right to sit or vote in the House of Commons, consequently their authority in that place ought to have no deliberate influence. The learned doctor, by possibility, might be extremely right in bringing forward this bill:

he would not, at this moment, enter into that part of the discussion: he wanted only to give the learned doctor time and opportunity to prove, by fair argument, to the satisfaction of those who would feel most interested in the bill, that it was just and necessary. There was one clause, at least he understood it so, that made the residence of the clergymen to depend upon the mandate of the bishop. But he could not exactly approve the principle of enforcing residence for just such time as the discretion of the bishop should deem it fit to appoint. Besides, the exercise of this discretion might be rendered in some cases extremely oppressive: in the case, for instance, of an old clergyman who might be induced to give his vote for a member of Parliament at an election contrary to the mandate of his diocesan. If there were such persons as political bishops in Ireland, (he would not assume to say there were,) the consequence of such an act of disobedience might be to force the old clergyman to a residence in a parish where he had no glebe, and perhaps could not find a single house in which he could live, and be remote from his friends, and out of the reach of every comfort or accommodation. At present he did not wish to urge any thing further; but hoped he had said enough to convince the House, that the law which was very well calculated to operate in England might be, in many instances, quite the reverse in Ireland; and that a measure calculated to operate in Ireland was entitled to some consideration and discussion from gentlemen who must have more knowledge and experience in the local circumstances of that country; the bill for a similar purpose in this country had occupied, for a succession of days, the most minute attention in both Houses of Parliament.

Mr. Fox agreed with Mr. Grattan in the necessity of postponing the proceedings on the bill, until a full attendance of the Irish gentlemen should take place. Dr. Duigenan however persisted in his motion, and the House was going to divide, when he was at length induced to postpone the committal.

LIMITED SERVICE.

MR. WINDHAM'S BILL FOR LIMITED SERVICE IN THE ARMY.

June 2. 1806.

MR. WINDHAM (secretary) moved the order of the day, for the House to go into a committee on the Mutiny Bill. The House having resolved itself into the committee, and the question

for filling up the blanks in the form of the oath to be taken by the soldiers hereafter to be enlisted, with the number seven being put, Lord Castlereagh objected to limiting the period of service. He contended that, if the bill passed, it would no longer be possible to raise men for a longer term than the period of seven years; this would abridge the power of the Crown, and would fail in the object, for men would prefer to enlist for life, than for a term of years. To prove this, he quoted some instances, where men had accepted the higher bounty for enlisting for life, in preference to a lesser bounty for a short period: he contended that the nature of the service would be impaired, as well as the prerogative of the Crown.

Mr. GRATTAN, in reply, spoke as follows: I think the noble lord (Castlereagh) might have been more moderate in his strictures on this plan, when some plan is confessedly necessary, and neither the noble lord nor any of his associates have any plan to offer. Something calculated to recruit our military force was, on all hands, allowed to be desirable; and the only question was, what plan was most likely to attain the object which all professed a wish to promote. Several recommended a reliance on the ordinary recruiting alone, which, it was now evident, could not be conducted without high bounties; but the opinion of the majority, with whom I certainly concur, is, that limited service should be resorted to. Much encouragement to act upon this opinion is to be derived from experience. Notwithstanding the assertion of the noble lord, that all experience was against the experiment of the Right Hon. Secretary, I assert the contrary. For in the American war 78,000 men were raised upon terms of limited service; and such a number serve to show that these terms were not likely to be ineffective; these terms have, in fact, always proved productive; and they were so in the last French war. But how did the gentlemen opposite succeed in the operation of those measures, in the support of which the noble lord himself was so forward? What were the Army of Reserve and the Additional Force Acts, but measures of limited service? — thus the unreality of their argument is proved by experience, and by their own conduct.

According to the plan proposed by the honourable member, great advantages are held out to the soldier; besides the limited period, the veteran now is to receive, at the end of seven years, an advance of pay; at the end of fourteen years, a further advance; and, finally, an enlarged pension. Am I then to understand, that, without these advantages, he was reconciled to the disparity of condition, but that under these advantages it becomes intolerable? The seaman too, he bore this disparity; and further, another disparity, pressing; he too has received advantages, and now

finds, it seems, his comparative situation intolerable; and without any change except it is better, he is to do — what? murmur or revolt? — now! at this time! in the midst of his victories! in the funeral triumph of his admiral! and to hoist the flag of the conquered! But it will deprive you of a seventh of your army, *flagrante bello*; it is said, that they will not re-enlist; experience is on the other side. A noble lord (de Blaquiere) mentioned the 18th dragoons, the militia another instance, the army of reserve another instance; near one half of the men enlisted for general service — on what principle? On the principle which is denied, that military habits reconcile to military life. The principle of transfer from limited to general service is the re-enlisting principle; except that, in the latter case, the inducement is much stronger: in the case of the transfer, the soldier exchanges a service, limited in time and place, for service in another regiment unlimited in both. The probability of re-enlistment, being founded in the human mind, and being warranted and conceived by the sense of Parliament, signified in various acts, and being further evidenced by the transfer from limited to general service, is a speculation much less visionary than the apprehensions to the contrary. It is remarkable that the objections to the plan are founded in theory; and the principle of the plan in practice. It is also to be observed, that should the re-enlistment be less general than is expected, the injury to the country will not be unqualified, inasmuch as it will return into the mass of the people a proportion of disciplined men, and add to the general strength, while the recruiting supplies the particular defalcation; so that the worst consequence that gentlemen ominate, is a measure which subjects the country to the expense of recruiting, but adds to the strength of the community.

But it will deprive the state of her army in war! That is answered by the provision which shows it will not, except gentlemen foresee wars so very long, that the country must perish; not by non-enlisting or limitation of service, but by war. To form a judgment of this argument, if it deserves a further investigation, let me apply it to the troops in the different stations; to troops in their home station it can have no application at all; to those employed on the continent of Europe, as Europe is now situated, none; to the colonies then it applies; but you must take the whole of the case, you are to keep the soldier in a foreign and unhealthy climate for life: now, the injustice of that is much greater than the inconvenience of limited service; besides, the hardship to the individual is accompanied by an inconvenience to the state,

namely, the recruiting subject to that hardship: join both the hardship and the inconvenience, and they outweigh the other inconvenience, namely, that of losing certain portions of your men in time of war, an inconvenience remedied by placing such men in a second battalion, and also by the power reserved to the government of prolonging the periods of service. The four objections to limited service admit of a further answer, the practice of the most military countries, of Rome, of France, of Austria, — Rome in her best time: founded thus on example abroad, and experiment at home, the honourable member proposes this part of his plan, which is, to furnish your army rather with the flower of your people than the refuse, and on terms which are not ruinous; but that is a part only, the other goes to make England a military nation. The idea of the honourable member seems to be, a military nation with the greatest fleet and army that the nation can pay, and consisting of the flower of her people: the country, then, according to this plan, will come under three divisions; — men who are rich enough to train themselves, men who are not and *cannot* be spared from the agriculture or manufacture, men who are not rich enough and *can*. The plan of the honourable member goes to train all these in the manner in which their respective services shall not conflict; for instance, the man who can train himself shall not receive the pay of the man who cannot, and he who can be spared from manufacture and agriculture shall not set up the exemption of the man who cannot: thus his plan comes to its great result, a military nation with a great fleet and army; that is the desideratum, any thing less than that, and your country totters. I know it has been said, that the fate of nations has been decided by armies; so it has been, and fatally you have found it so in the case of military governments, but so it has not been in the case of military nations; it was so with Austria after all her great, but hapless, efforts; so it would be with the deep-revolving potentate of Prussia, and so it has been with that fallen, late power, the continent of Europe, — not freemen — not soldiers — the property of their prince protected by armies, and when these armies were conquered — annihilated, and annihilated by their enemies because they were before subjugated by their princes, and the miserable princes have followed the fate of their miserable subjects; but it was not so with France, nor with America, nor with ancient Europe: why was not France beaten by the powers of Europe? because she was what those powers were not, a military country; and in so saying, I do not mean that she fought as a tumultuary army, but that she supplied her regular

army with a succession of soldiers, and was thereby enabled to take advantage of every strong position, and every casualty of war, until those recruits should be rendered perfect; so with America, she was thereby enabled to take advantage of her deserts, and of her solitude; and so of old Rome, ever in the Campus Martius—never on the exchange:—Bellona's temple always open: she lost, in the Punic war, four great armies, one crushed at Thrasymene, another annihilated at Cannæ; but she supplied those armies with the everlasting succession of armed men, and was thereby enabled to take the advantage of her Sabine hills, there to train her armed bands, and to weave her plan of death or of deliverance.

The necessity is stronger when applied to England in a war with France, whom England should never fight on a plan of detachment against detachment, when France fights her by the eternal succession of troops, that is on the plan of opposing a detachment by a nation.

Your accounts will show you the reason: 25,000 additional men in two years—that wont do: 12,000 men, your additional force bill, in seven quarters—that wont do: 17,000, your fond, but most improbable estimate,—that wont do. 20,000, the whole annual produce by ordinary recruiting, and additional force bill. Taking the calculations of the gentlemen on the other side in support of their own plans, and taking their estimates, it follows that, as far as relates to the military force of the country, you are not now defended:—taking the arguments of both sides, and along with them the returns on your table, it follows, that, in a war with France, you cannot exclusively be defended by an army.

The force would be sufficient to conquer your liberties, but not sufficient to conquer your enemy.

It is very true what gentlemen have said regarding the danger to the constitution from the solitary plan of defence, by regular and unqualified armies; and the answer to their objection is, that the danger is already incurred by their plans, seeing that the militia differs from a regular force but in name; and the volunteers on the present plan of expense, can be considered only as a temporary check, and that the danger can only be removed by the plan of the right honourable gentleman, training the people of England to the use of arms, generally, permanently, and systematically, otherwise you become too strong for your charters, and too weak for your enemies. You hazard one great object of the contest, namely, your constitution, and with it the great spirit by which you are to contend, namely, that of a free people; and when your means are perfect, that great distinction, your constitutional

independency, the great and superior object, will have vanished.

I know perfectly well, that such a loss may take place without a conflict, aye, and without perception ; the freedom of a country may be lost, or may be secured by position. Thus an armed and undisciplined people will not against a military government make a struggle, and thus a government against a trained people will not make the attack.

In plain, you must become a military government, or a military people: — in the first alternative, you must lose your liberty, and may not secure your empire ; in the other alternative, you ascertain both.

I shall illustrate this by taking two periods,—one the period of war, the other that of peace: in war you will not be satisfied to remain inactive, without any hopes of success on the continent, nor always safe in the Indies.

But in order to do any thing that is worthy of you, in order that you may not be in a hectic when the wind is at east, south, south-west, south-east, you must be a military country, or will you answer that the French hereafter may not evade you, (you know very well they may,) or that they may not make a descent on Ireland ; or that your expeditions will not be too late, as they were in Holland ; at Isle Dieu ; as they were lately at Hanover — feeble, forced, and abortive ?

Consider what your colonies require, what India requires, what Ireland requires, what the internal defence of England in the case of a descent requires, and then answer the argument : calculate your disposable army, and then you must say, No military people, no disposable army.

Thus far, with a view to war, its splendour and its safety : see what would be your peace ; — a peace, the spectatress of the growing navy of France, in the Texel, in Helvoetsluys, in Antwerp, Brest, Havre, L'Orient, Rochfort, Ferrol, Cadiz, Toulon, Carthage, and now Genoa and Venice. You cannot suppose that France will not be able to get seamen, when she makes advances to the East. What remains then for your country, as France shall be becoming thus a maritime, but to become herself a military country ? Whether she looks to war, where, on any other plan, her efforts would be abortive ; or to peace, where, on any other plan, her repose would be miserable ; — a war exercising, as far as relates to the land, her impotence, and a peace spent in contemplating her growing destruction. To understand this better, let us suppose the navy of England defeated, as in the American war ; would you not then, if you did not put your country into requisition, do what this plan offers ; give every possible inducement to your

regular army; fill it with the flower of your people; take away exemptions, where exemptions were not founded in effectual service; train, discipline, and preserve your volunteers, the most consistent with your other service; require of the man of property to train, discipline, and array himself and his tenants; and, finally, to discipline and arm the people of England?

The idea of the honourable member, with respect to the volunteers, is just; they should be the property of the country, armed, and disciplined at their own expense, assisted somewhat by the state: he goes farther, and he gives them every thing which they now have, save only that which they certainly ought not to have, namely, a privilege to command field-officers, and officers of the line. The volunteers, in the proper sense, are inestimable: they are the gentlemen of the kingdom, with their tenants and their connections, armed in the defence of the country; they give a spirit to the whole; they should fill a great place in the military defence of the country, and there is no other place in which you can find them: it is the best occupation for leisure; the best application of wealth, and the best direction to the love of display; it makes human frailty a public resource, and teaches men to seek satisfaction, in the effort which they make to their own deliverance; it communicates the upper and the lower classes in the best possible intercourse—the civilization of arms; it gives a directitude to the understanding as well as to the motions; softening the higher order, and exalting the lower, and contributing to the amelioration of both; so much so, that I should wish to preserve them without their defects, or with their defects; but at all events preserve them. My principal objection to their expense, and to other errors in the volunteer system at present, is, that they tend to abbreviate the duration of the volunteers. Of the arguments on the other side, two deserve to be answered, and the answer is to be found in the conduct of the objectors: they object, that the reduction of rank over the field-officers of the army and militia, and the reduction of permanent service, will disband the volunteers; and yet the Irish yeomanry have no such rank, and are put off permanent duty, and by the orders of the late administration, who by their argument now, it seems, have disbanded their own army. If, then, this argument is true, they have issued an order equivalent to the abolition of the Irish yeomanry in the midst of war: but the Irish yeomanry remain to justify their order, and expose their argument, which must be perfectly weak, or their conduct perfectly criminal; but they don't say that the volunteer, if he be not

put on permanent duty, and ranked with the field-officers of the regulars, will relax in discipline, but that he will depart, absolutely depart, march off. I will recall the volunteer, not by stating what I might, that his pay is continued, and his clothing allowed, but that his danger is increased.

France has dispersed your allies, ruined Austria, fraternized Prussia, gotten Genoa, Venice, and her ports. What! did you then watch when the danger was doubtful, and do you now relax when the danger is imminent, as if you were ordinary men and in an idle cause, and could carry off your light standard here and there, and abandon yourselves to the comfort or folly of a fretful peace, in the midst of aggravated and accumulated war?

The Irish volunteer did not do so: we had no pay; no rank; we were abused, but we were too high to be affronted: in 1779, about 3000; in 1782, about 80,000, men. We got from government but 18,000 stand of arms, old militia arms; but we armed, we arrayed, we trained, and we disciplined; and not only protected our country, but procured her independence. I now come to the part of the plan which consists in training the people. The gentlemen who say the volunteer will retire, cannot object to a measure which that retirement renders indispensable: it is objected that loose training will not answer; they have answered that objection in the panegyric on the volunteers, who, by a sort of training, they say, are rendered fit to serve in the line: if 26 days are too few, multiply the days; or do they mean to say, that it is impossible to teach the people of England the use of arms? The training is such nearly as the volunteers received, — training without the articles of war: this training, they say, has made 30,000 volunteers: with your army an adequate defence: extend that training to a million, and you are impregnable; impregnable according to their own reasoning: the use of it, the simplicity of it, are obvious: the manual, the facing, the march, the firing ball, and learning to level, enough to familiarize the citizen to his firelock, instead of being afraid of it, and such as will give him a superior consciousness of existence. They will not have time for this; they cannot get officers to teach them this; they cannot submit to the hardship of a ballot for this; such are the objections, and such objections are answered by enumeration, twenty-six hours, say fifty hours in the year cannot be spared; it seems he has time to learn to read, — to write, — all but that part of his education, which consists in the science of defending himself; and shall we add the difficulty of obtaining instructors? The army of the empire, including militia, is 257,000, and you

cannot get sergeants from that force to discipline the people; sergeants I say: the Irish yeomanry may be inspected by officers, but they are trained by sergeants: the Irish volunteers were trained by sergeants: (there were only 5000 troops in Ireland in 1781, and yet we got sergeants:) you have 257,000 military; you have in this island 30,000 volunteers, and you have not, it seems, sergeants sufficient to train the people. The hardship of the ballot for such training is another objection. Hardship! to learn to defend yourself; and to learn it, not as you learn the inferior part of education, writing, and reading, at your own, but to learn it at the public expense; and this benefit, not hardship, is compared to military service for life.

These difficulties do not exist in the nature of the subject, and are only to be found in the supposed disposition of the people. If such be their disposition, if the property of the country will not learn the use of arms except paid, nor the people in general though paid, *actum est de republica*. In order to point out the weakness of such objections, let us suppose the navy of England defeated, or, as in 1781, balanced, would you then listen to the objection which told you that the people could not bear the hardship of learning the use of arms? Now then, when you can arbitrate your own destinies, when you have resources not exhausted, a spirit not broken, a triumphant navy, and ample time for the formation and growth of your plan, take your measures so, that if the enemy should attempt a descent, he may find you prepared.

I mentioned two nations, to illustrate the practice which trains the people with a view to resist a foreign power.

America — rather than submit, she underwent the hardships of which gentlemen complain — of training; or rather, she acknowledged no hardship in those things; neither in the want of capital, nor of currency, nor of credit, nor of regular government, but adopted her non-consumption agreement, and threw away the comforts of life, bauble after bauble; and, finally, life itself she viewed as a secondary consideration, compared to her deliverance.

France — you will not like to copy from France; and yet, in this instance, I should recommend her example in that principle which arms and trains a people, with a determination not to submit to a foreign power. Under the influence of that she dispersed confederated Europe, and not only vanquished her enemies abroad, but controlled, as far as regarded external operation, her confusion at home: before it, anarchy stood arranged, and distemper disciplined; so that her frantic legislature, or her bedlam, was here the Delphic wisdom; her

crazy courage became deliberate valour; and the infinite and incalculable resources of the spirit, so actuated by that inexorable principle, baffled all your experience and conjecture; and, at length, placed the powers of Europe (England scarce excepted) in the very position in which they had before placed her.

If, then, the *destroying power* could or can raise 200,000 on an occasion; train all her people to the use of arms; marshal her mercurial mind, so as, first, to repulse, and, second, beat in the veteran battalions of Europe, and now direct the whole (seconded by her ancient motive) against you and your fortunes; and if, on the other hand, the saving power, in the capacity of volunteer, cavils about a shilling; if veterans, at the limited service of their companions, murmur or mutiny — *actum est de republica*.

I apprehend no such calamity; and, the better to mark your exigencies, let me remind you of your hopes. I have heard of your resources much; I do not wish to deprecate them: you might add, that the French empire has marched over a great part of the Continent, but is not planted; that Italy will not fight for France — indeed, will not fight at all; that the Dutch have not forgotten her two loans; that Austria is crushed, not annihilated; that before her new acquisitions become with France one and the same people; an age must pass away, their habits and customs change, and their mind, as well as their armies, conquered, before they can amalgamate and assimilate to the conqueror; further, it may be said, that these different nations on the Continent, however plain they may talk to France, can have but one object, namely, that the globe may not become one man; and therefore they can have but one enemy, namely, the French power. That Spain is not your enemy — her plunder is not your cure; that Prussia is not your enemy — that deep-revolving power now finds, that in these mad times, nothing so mad as her wisdom and discretion. I say, it may be added, that this power now wears on her head the crown because you carry the trident.

Having mentioned these your hopes, as far as you have any view to the Continent, I should advise you not to rely on them, but rather to be assured, that the Continent now in general will not take your subsidies; and that you must employ your resources to subsidize yourselves, and to make you as universally as the physical powers of your island will admit seamen and soldiers — according to their habits and dispositions, or against their habits and dispositions, seamen and soldiers; so that if the French should attempt to invade you, they may find first the British fleet, then an army supplied with an eternal succession, so that it could not be con-

quered by a defeat, and by a course of defeats must become victorious; than the different descriptions of force—volunteers, *levée en masse*, the property of the country arrayed, her population disciplined, and a spirit of freedom and of arms, the growth of her constitution and her training—preceding and covering the whole, together with a determination not to survive their independency. The plan of the member goes to this, first, to establish an army of the flower of the people; a volunteer, consisting of the property of the country; and a trained body, consisting of all men capable of bearing arms, who are not to be found in the other bodies. Make 15,000,000 equal to 32,000,000 he cannot; but if his country gives him 10,000,000 of men, and food to nourish, and powder and ball to arm themselves, she has a right to call on her minister for a plan to set the whole in action: gradual—it ought to be gradual; the slowness of the growth is ever the result of the greatness of the proportions; or will you plant an oak to-day, and expostulate because you cannot sit under its shade on the morrow? and do not put a malignant criticism on the effort, nor confound the difficulty of the subject, with the defects of the plan, recollecting that you may cry down every plan by the dilemma, which shall state it either as too weak for the exigencies of your empire, or too strong for the dispositions of your people; further, you should remember, that two efforts were made, and have failed, and that a mutual indulgence is therefore necessary for the third; and that, in order to make any plan of this sort succeed, the mind must go along with it a little more; a certain ardour, whether jealousy of France, or love of liberty, or thirst of renown, or enthusiasm; the memory of past glory, that dominating spirit which is necessary to support you in your present exigencies, and which is to bear down little difficulties; that difficulty, for instance, which makes the veteran jealous of the recruit enlisted for limited service; that other difficulty which makes the volunteer disband, because he loses his pay; that other difficulty which supposes the people will not suffer themselves to be taught the use of arms. In vain have you expended 300,000,000*l.* on your late wars, if now, when you are to defend the remainder, the understanding grows sick, and throws up what it does not find on the subject, doubts and difficulties such as these.

To such objections you have another and a better answer,—your danger; and the perilous grandeur which belongs to it, and which leaves you no option, but must totally depress, or greatly elevate.

With this view of the subject, your taxes are not your grievance: how much a greater grievance would it be, to be

sentenced to take off your taxes; to live unconcerned, and unexercised; and keep holyday in England, while France subjugates the continent of Europe, and threatens the island.

Infinitely better and more grand, after all your losses and loans, to add more losses and more loans; that Englishmen may not sink to the level of the prostrate kings of Europe, and bow to the Gaul.

You have, besides, the example of the very nations whom you have brought into much greater difficulties. America, for instance, she was in great difficulty. France, she was in great difficulty, and both became great by conquering such difficulties; for to a people who have made up their mind to die, on a principle such as the independency or glory of their country, there may be difficulty, there may be death, but there cannot be defeat.

The measure was opposed by the Master of the Rolls (Mr. Grant), by Lord Garlies, Mr. Bankes, General Norton, and General Stewart. It was supported by Sir W. Lemon, and the Solicitor-General (Sir Samuel Romilly), who, in a most able and constitutional speech, entered at length into the subject, and commented on the danger of standing armies, and of the military despotism which was spreading over Europe. This measure, he said, would be in some degree a counterpoise to the evil, as it would establish a more constitutional description of force. The House divided: for the motion, Ayes 206, Noes 105; Majority 101.

Death of Mr. Fox.—Change of Ministry.

On the death of Mr. Fox, which lamentable event occurred on the 13th of September, 1806, after a painful and afflicting illness, the following changes took place in the ministry:—

Cabinet Ministers.

Viscount Sidmouth	.	.	President of the Council
Lord Erskine	.	.	Lord High Chancellor
Lord Holland	.	.	Lord Privy Seal
Lord Grenville	.	.	{ First Lord of the Treasury (Prime Minister)
The Right Hon. Thomas Grenville	.	.	{ First Lord of the Admiralty
Earl of Moira	.	.	{ Master-General of the Ordnance
Earl Spencer	.	.	{ Secretary of State for the Home Department
Lord Howick	.	.	{ Secretary of State for Foreign Affairs
The Right Hon. William Windham	.	.	{ Secretary of State for the Department of War and the Colonies
Lord Ellenborough	.	.	{ Lord Chief Justice of the Court of King's Bench
Lord Henry Petty	.	.	{ Chancellor and Under-Treasurer of the Exchequer
Earl Fitzwilliam	.	.	{ (A seat without an office)

Not of the Cabinet.

The Right Hon. George Tierney	{ President of the Board of Control for the Affairs of India
Earl of Derby	{ Chancellor of the Duchy of Lan- caster
Lord Auckland	. President of the Board of Trade
Right Hon. Richard Fitzpatrick	. Secretary at War
Right Hon. Rd. Brinsley Sheridan	. Treasurer of the Navy
Earl Temple	{ Joint Paymasters-General
Lord John Townshend	{
Earl of Buckinghamshire	{ Joint Paymasters-General
Earl of Carysfort	{
Right Hon. Nicholas Vansittart	{ Secretaries of the Treasury
William Henry Freemantle, Esq.	{
Sir William Grant	. Master of the Rolls
Sir Arthur Pigott	. Attorney-General
Sir Samuel Romilly	. Solicitor-General

Persons in the Ministry of Ireland.

His Grace the Duke of Bedford	. Lord Lieutenant
Right Hon. George Ponsonby	. Lord High Chancellor
Right Hon. William Elliot	. Chief Secretary
Right Hon. Sir John Newport	. Chancellor of the Exchequer
Rt. Hon. Wm. Conyngham Plunkett	. Attorney-General
Charles Kendal Bushe, Esq.	. Solicitor-General

GRANT TO THE COLLEGE OF MAYNOOTH.

February 20, 1807.

THE House went into a Committee on the Irish Miscellaneous Grants. Sir John Newport (Chancellor of the Exchequer for Ireland) moved the several sums in the respective estimates; and on the resolution that a sum of 5000*l.* be granted for the Roman Catholic College of Maynooth, in addition to the sum of 8000*l.* annually granted, which additional sum was for the construction of other buildings, and the further accommodation of the students of that university, Mr. Percival and Mr. Banks objected to this additional grant, declaring that they were against the policy of giving any encouragement to the growth of the Roman Catholic religion. Sir John Newport, Mr. H. A. Herbert, and Mr. Grattan supported the motion. Roman Catholics had not been permitted to enter the Dublin University prior to 1793, and Catholic clergymen could not be instructed there; it was, therefore, necessary to establish a college where they might receive their education, freed from the effects of foreign influence and tendencies: the Irish Parliament had, therefore, established this seminary in the year 1795, and had supported it by annual grants ever since. The increase of the population required a greater number of clergymen, and to afford this supply was the object of the additional grant.

Mr. GRATTAN said, that the question lay within a narrow compass; whether the Roman Catholic was to go abroad, form foreign connections, involve himself in foreign relations, and bring home foreign affections to his country? or whether he was to remain in his native land, and there acquire the instruction he was there to disseminate? If this could be as well effected in the college of Dublin, he should rejoice at it; for he would ever wish to see the Catholic and Protestant walking hand in hand together; he would wish to have them acting in such co-operation as to have in common the one grand impulse, and the one grand end. But the expense of instruction was complained of! What was the expense? 13,000*l.*: and what was got by that 13,000*l.*? the instruction of three millions and a half of people: to refuse this would be more than economy; it would be worse than parsimony. Keep the Roman Catholic at home; home education will promote allegiance; foreign education cannot engender loyalty. Kept at home, and taught to love his country, he must revere its government.

The resolutions were then agreed to, and the report ordered to be received on Monday.

GRANT TO MAYNOOTH COLLEGE.

March 4. 1867.

ON this day Mr. Hobhouse brought up the report of the Committee of Supply: the grants for the service of Ireland were read and agreed to. The grant of 13,000*l.* to the Roman Catholic Seminary of Maynooth being read, Mr. Percival rose and objected to it: he said it was not the amount of the sum, but the growing nature of the demand. The annual grant had been 8000*l.*, and no good ground was shown for the increase. It was not too much to assume; that the interests of the Protestant University appeared sacrificed to the Catholic seminary, and greater benefit would have resulted from enlarging the Dublin University, than from building a separate institution. He concluded by moving, "that the sum of 8000*l.* be substituted for the sum of 13,000*l.*, at present inserted in the resolution of the committee." This was supported by Mr. Wilberforce and Mr. Banks. The latter said, that he thought the establishment should be supported from private contributions, as other institutions in both countries; the state should not be made party to such an establishment, or be encumbered by it, as it would make popery rival the established church. Mr. Wilberforce said, that the institution in question tended to discourage the growth of Protestantism in Ireland, and he could not favour an

establishment which would prevent the propagation of that religion. The grant was supported by Sir John Newport, Lord Mahon, Lord Howick, Mr. May, and Mr. Grattan. They argued, that the institution had been supported by grants from Parliament since the year 1795; that the present state of the continent rendered it impossible for the Roman Catholics to go abroad for their education, were it even politic that they should do so; therefore, if such an establishment was not supported, they would not receive any education at all. Lord Howick said, that Parliament had too long neglected to take the situation of Ireland seriously into consideration. I confess we are deeply criminal for the part we have acted, but I hope we shall begin to discharge the long arrear against us. For my part, I candidly own I shall feel that the proudest and the happiest day of my existence, when I am able to set about the work for making up the time which has been mis-spent with respect to Ireland.

Mr. GRATTAN said, that, in a question of this kind, that involved the education of a great portion of the population of the empire, any sect of Christians should be tolerated, as any sect of religion was better than no religion at all. He was astonished to hear from an honourable gentleman over the way, that if the Roman Catholics of Ireland were to be educated in the principles of their faith, it was little matter whether they received that education in Ireland or in France. He was surprised to hear this, because it went to say, that it was immaterial whether three millions of the king's own subjects were educated at the expense and under the protection of His Majesty's government, or whether they should be pensioners on the bounty of the Emperor of France. From the jealousy hitherto entertained of the growth of Catholicism, that jealousy was founded not upon the mere doctrine, not against it as a religion, but against its foreign views, its foreign connections, its foreign relations. But here the objection was changed; no danger was apprehended from those foreign relations; the Roman Catholic might go abroad; but if kept at home, if educated in the bosom of his country, then he would be dangerous. Was this the doctrine? If it was, let it only be repeated in order to be refuted. And if it was not, if foreign connections were dangerous, why promote those views and strengthen those connections, by exiling the Roman Catholic for the purpose of educating him? As to economy, 48,000*l.* had been just voted to the Protestant charter-schools; 21,000*l.* voted to the Foundling Hospital; that is, with a ready hand, 21,000*l.* had been given to the crimes of the depraved, and it was to be disputed whether 13,000*l.* was to be given to enlighten and to instruct three millions of a bold and hardy peasantry. Why grant so much freely to the Protestant, and why

dispute the little to the Catholic? Did not this do that which was complained of? Did it not encourage the rivalry so much apprehended, by setting up one religion against another; and was it justice so to do? He had heard it apprehended that the institution might tend to encourage the Roman Catholic professors in that seminary, in the latent dissemination of disloyalty: was it remembered that that seminary was subject to the control of visitors, the chancellor and the judges of the land, and under their control nothing in that way could be apprehended? He wished gentlemen to look more largely at the institution; it originated in wisdom, and would be productive of good.

The original resolution was then put and carried.

Change of Ministers.

In consequence of the refusal of Ministers to agree to an unconstitutional pledge, and bind themselves not to propose to His Majesty any further concessions to the Roman Catholics, His Majesty thought proper to select new Ministers; and the following individuals were appointed:

GREAT BRITAIN.

President of the Council, Earl Camden
 Lord High Chancellor, Lord Eldon
 Lord Privy Seal, Earl of Westmoreland
 First Lord of the Treasury, Duke of Portland
 First Lord of the Admiralty, Lord Mulgrave
 Master-General of the Ordnance, Earl of Chatham
 Secretary of State for the Home Department, Lord Hawksbury (since Earl of Liverpool)
 Secretary of State for Foreign Affairs, Mr. Canning
 Secretary of State for Department of War and the Colonies, Viscount Castlereagh
 Lord Chief Justice of the Court of King's Bench, Lord Ellenborough
 Chancellor and Under Treasurer of the Exchequer, Mr. Percival
 President of the Board of Control for the Affairs of India, Right Hon. Robert Saunders Dundas
 Chancellor of the Duchy of Lancaster, Right Hon. Spencer Percival
 President of the Board of Trade, Earl Bathurst
 Secretary at War, Sir James Pulteney
 Treasurer of the Navy, Right Hon. Richard Brinsley Sheridan
 Joint Paymasters-General, Lord Charles Somerset, Right Hon. Charles Long
 Joint Postmasters-General, Earl of Chichester, Earl of Sandwich
 Secretaries of the Treasury, W. Huskisson, Esq., Hon. Henry Wellesley
 Master of the Rolls, Sir William Grant
 Attorney-General, Sir Vicary Gibbs
 Solicitor-General, Sir Thomas Plumer

IRELAND.

Lord Lieutenant, Duke of Richmond
 Lord High Chancellor, Lord Manners

Chief Secretary, Sir Arthur Wellesley (afterwards Duke of Wellington)
Chancellor of the Exchequer, Right Hon. John Foster
Attorney-General, Mr. William Saurin
Solicitor-General, Mr. Charles Kendal Bushe

CHANGE OF ADMINISTRATION.

MR. BRAND'S MOTION RESPECTING THE CAUSES WHICH LED TO
THE LATE CHANGE OF MINISTERS.

April 9. 1807.

THE late ministers having introduced a bill to open the army and navy to the Dissenters and Roman Catholics, the measure did not meet the approbation of the king, and it was required from them, that the subject should not be again brought before His Majesty; to such a proposition the ministers could not accede, and a change accordingly took place.

On the 26th of March, when the House was to adjourn for the recess, Lord Howick took that opportunity to state the causes which led to the change in administration. It appeared that it had been the intention of ministers to introduce a bill for the purpose of admitting Dissenters and Roman Catholics to commissions in the army and navy; the substance of this bill was communicated to the Lord-lieutenant of Ireland, and a draught of the dispatch was previously laid before His Majesty on the 9th of February. To that His Majesty expressed his dissent: the cabinet deliberated upon the answer, and on the 10th made another representation to His Majesty, to which an answer was returned, expressing considerable reluctance, but signifying the consent of His Majesty—his positive assent. The dispatch was then sent to Ireland: a doubt arose there among the Catholics, whether this bill, which was to apply to both islands, admitted Catholics into all ranks of the army, or whether it was limited by the restrictions in the Irish Act of 1793. Another dispatch was sent to the Lord-lieutenant, with the clauses intended to be introduced into the mutiny bill; and expressly marking, that the Catholics were to be admitted to hold any commission or appointment whatever. This dispatch was previously sent to His Majesty on the 2d of March; and having been perused by the king, it was returned the next morning without a word of objection or comment; it was then sent to Ireland. Objections having arisen to the enactment of the proposed measure, by means of clauses in the mutiny bill, it was determined to introduce a separate bill for the purpose. On the 4th the king, at levee, asked Lord Howick, whether the separate bill was not to be the same as that of the Irish Act of Parliament? Lord Howick stated where they differed; on which His Majesty expressed his disapprobation of the measure; but the conversation concluded by his giving a consent, though a reluctant one; or, as Lord Howick expressed it, by not withdrawing the consent he had ori-

ginally given. On coming out of the closet, Lord Howick stated to Lord Grenville what had passed, who agreed with him in opinion, that His Majesty was not hostile to the bill. On the next day, the bill was introduced into Parliament; a whole week subsequently elapsed without the slightest suspicion of His Majesty's objection to the measure. At length, on Wednesday the 11th of March, His Majesty stated to Lord Grenville his decided objection, and referred to the conversation he had with Lord Howick, at levee, on the Wednesday preceding. It being out of their power to surmount the objections His Majesty entertained, the bill was abandoned altogether; and a minute of this intention was sent to His Majesty, claiming, at the same time, their right, as individuals, to pronounce their opinions on the Catholic question; and, as ministers, to submit, from time to time, such advice on this subject, with regard to Ireland, as circumstances and the interest of the empire might require. The royal answer expressed satisfaction at the withdrawing the bill; it expressed some dissatisfaction that the ministers should feel it necessary to express their opinions upon it; and it required the ministers absolutely to withdraw the latter part of the statement; His Majesty declaring that he could never consent to any future concessions to the Catholics; and demanding from the ministers a positive assurance on this subject. They answered, they could not give such an assurance, consistent with their obligations as His Majesty's sworn counsellors. The next day His Majesty declared his intention to look out for other ministers, and a change of administration followed. On this day (the 9th) Mr. Brand brought forward his motion. He contended that the late ministers had acted strictly consonant to the principles of the constitution; they were sworn to give advice according to the best of their opinion; and if the King could command them what advice to give, and what to withhold, the King was his own minister, and they were but his creatures. Even admitting the prerogative of the Crown to choose its ministers, yet the King possessed no right to restrict them in their advice; to dictate what measures they should submit to His Majesty; or to control the free exercise of their judgment. No honest servants could listen to any pledge which went to restrict them in the advice they were to give; and which, in their conscience, they might think necessary for the interests of the country. The late ministers had refused to accede to such dishonourable propositions, and were dismissed in consequence; but their conduct was meritorious. He concluded by moving the following resolution: "That it is contrary to the first duties of the confidential servants of the Crown, to restrain themselves by any pledge, expressed or implied, from offering to the King any advice, which the course of circumstances may render necessary for the welfare and security of any part of His Majesty's extensive empire."

The motion was seconded by Mr. Lamb. It was opposed by General Crawford, Mr. Fuller, the Chancellor of the Exchequer (Mr. Percival), Doctor Duigenan, Mr. Canning, Mr. Bathurst, and Mr. Osborne, who moved, "That the other orders of the day be

now read." It was said on their part, that the Crown was bound to exercise its own judgment, and support its own opinion, otherwise the legislature would consist only of Lords and Commons, and the King become a mere cypher. His Majesty's intention had been merely to grant the extension of the Irish Act of 1793 to England, and was determined to go no further. Mr. Percival contended, that the measure proposed would have weakened the Protestant establishment, and would have been detrimental to the liberty and religion of the country.

Mr. GRATTAN said, the bill which was the immediate cause of the dismissal of His Majesty's late ministers, had his entire approbation; as he thought thereby we should have combined the physical with the intellectual force of the empire. The question now under the consideration of the House, might very properly be divided into two heads: first, the conduct of the late ministers in respect to the Catholics; secondly, their conduct relative to His Majesty. The great object as to the Catholics was, that the bill lately brought into the House, by the noble lord near him, had been promised to Ireland more than thirteen years ago; and the particular reason was, that the Irish officer in England might be on a similar footing with the English officer; and it was certainly no more than justice that he should be so. The right honourable gentleman (Mr. Percival) had said, that the objection had been attended to, and remedied by the mutiny bill; but that, in fact, was not the case; and it was certainly very wrong to have left the Irish officer, in case of his coming into this country, liable to the penalty of 500*l.* for attending his regiment in defence of it; and a still further and more galling dissatisfaction, that he could not bring any suit, nor be entitled to that protection of the law, of which every other description of persons equally enjoyed the benefit. The second objection was, that of the common men, who were rendered liable to the greatest difficulties, and severest disabilities; they were compelled to go to church, and prohibited from attending mass, by which we made the Protestant religion the tormentor of the Roman Catholic soldier, and his own religion the engine of his punishment. For his own part, he was free to own, he did not possess that agonizing foresight, which could see the ruin of the church in our having a Roman Catholic staff-officer; and he feared, if we continued to proceed on that idea, we might avoid dangers that were only imaginary, but should certainly incur those that were real. The bill was part of the national defence, and the question was, whether they should continue to impose disabilities, which operated not merely on the Roman Catholics, but greatly to the disadvantage of the

whole empire. The objections stated by the right honourable gentleman (Mr. Percival), were stronger as to the principle of the bill, than to the bill itself. He seemed to think, that the principle of the bill tended to overturn the established church. In this, he differed from him altogether; for he considered the principle of the bill as calculated to soften and mitigate the asperity of religious prejudices, to amalgamate and blend the jarring opinions of men professing different religious persuasions, and to unite them all in one common bond of union, so that they might act together freely and heartily in the defence of the whole empire. This would secure the established church on the most permanent foundation, by a union of all men of all religious opinions, without which the empire could not be long preserved; the principle of the bill went to give the Catholics of Ireland a participation in the defence of the country, by enabling them to enjoy commissions in the army and navy, and to show them, that they were in future to be placed on a more liberal footing with regard to the law.

The right honourable gentleman (Mr. Percival) had argued, that it was not in human nature for the Roman Catholics to be contented with what was granted to them by the bill; but the fact was, the right honourable gentleman mistook human nature, substituted for it a casuistical argument, and then debased human nature to make it subservient to his own casuistry. The right honourable gentleman had talked of the Roman Catholics wanting to establish high ranks in the orders of their religion, and to have magnificent bishops. How they were to do this he could not tell, unless they were to get the French to make Irish bishops rich, who had already made French bishops poor. The right honourable gentleman and others, had said, that the Roman Catholics in Ireland were dissatisfied; as to that, he would not deny that they might be so at particular periods of time. He had known them to be sometimes satisfied, and sometimes the contrary; they were satisfied when the administration was such as pursued a system of lenity, and did not harass them with disabilities; they were dissatisfied, when a contrary conduct was observed towards them. In 1793 they were highly satisfied with what was done in their behalf. He would not say they were so at another period, when they had been persecuted for no greater offence than the great and mighty crime of presenting a petition. There was an instance on record, where two men in the county of Wexford were, for the crime of presenting a petition, indicted and brought to trial; and when the witnesses came to be heard against them, the judge declared from the bench that every one of them ought to be

prosecuted. If they were to treat the Catholics of Ireland in the way they had been treated by the late ministers, they would be greatly satisfied. He would not say, they would be altogether satisfied without power; but they would be so far satisfied as to fight the French, which is what is very much to be desired. By conceding to them the advantages they would have derived from the late bill, it might give them what he might call, "the pride, pomp, and circumstance of glorious war." It made them in some sort congenial with ourselves, and thereby gave them an enthusiasm, which they could not, under the present circumstances, be supposed to possess.

The Catholics had been remarkable for their loyalty, the proof of which appears in the preambles of the act of the 13th and 14th of the king; and several others which went to that effect. It had been said, that we ought to be careful in preserving the acquisitions of the church; and that, by favouring the Catholics, we should injure the church. His answer to that was, that formerly, when the Protestants were engaged against the Catholics, the disputes were altogether between themselves; but now the French were engaged against the whole, and against that common enemy all had to contend. If they were joined with the Catholics, there was every favourable prospect and probability that they would conquer; if, on the contrary, they fought without them, and should be beaten in the battle, they would not be beaten by the Catholics, but by their own prejudices, which deprived them of their assistance. These circumstances required the most serious and attentive consideration.

It had been said, that His Majesty had been deceived as to the nature, operation, and extent of the bill in question. He was at a loss to find out how this could be. It appeared, that on the 2d of March, the ministers sent all the clauses in the bill for His Majesty's perusal, and they were afterwards returned to them without any objection. The bill was afterwards given up, so that there could be no deception of His Majesty on that point; with respect to the pledge, it was impossible they could accede to it, without incurring the greatest disgrace. They must have renounced the principles of the whole of their former life: they must have relinquished the office of counsellors, and the high character of statesmen, and have become the mere creatures of salary. If they were bound not to present their petitions to the king, they would have given up what former ministers had never done; for many privileges had been granted to the Catholics, which they had petitioned for at various periods of time, and had

been denied, but which privileges had, at a subsequent period, been granted to them; for this various reasons might be assigned, according to the different circumstances of the times. He would suppose a French army landed in Ireland, would it not be natural to suppose that privileges might be then granted, which had previously been refused? Ministers, in pledging themselves not to bring the case of the Catholics under the consideration of His Majesty, would have forfeited their duty as officers, and their principles as statesmen. He entirely approved the conduct of the late minister, because he thought it that of a great statesman. He had seen the effects of a former administration, whose conduct had been different towards the Catholics, against whom the press in Ireland was continually loaded with points and paragraphs, which were good composition, but bad sense, until they stung and goaded the people almost to madness.

If we joined issue with the Catholics, we should fight against ourselves; we would do well to keep in mind, that there is but one enemy, the French, and that our best defence against that enemy, is our unanimity. He well knew that the Catholics of Ireland did not dislike the Protestant people of England; and he hoped the English people would not insult the religion of the Irish Catholics. He admired the ministry for the mildness of the conduct they had pursued, in consequence of the disturbances which had occurred in the west of Ireland. It had been productive of the happiest effects, by putting a speedy end to them, without applying to the military for their assistance. He had before admired Lord Hardwicke for a similar proceeding, who, instead of letting slip the dogs of war, had sent forth the judges into the different disturbed counties, and put an end to the disturbance, by the fair, impartial, and equal hand of the law. If he were to say how he thought Ireland ought to be treated, he would advise that the utmost leniency should be observed: he would make tolerance the rule and guide of his conduct: he would tell the Irish Catholics, what he hoped the vote of that night would assure them of, that they had not only a root in England, but a root also in that House; and by those means, he had no doubt, that whatever might be the event of the question, the two nations would be united as one, and the integrity of the empire established.

The original motion was supported by Mr. Orde, Mr. Fawkes, Mr. Maurice Fitzgerald (Knight of Kerry), Sir S. Romilly, Lord Henry Petty, Lord Howick, and Mr. Plunkett (Attorney-General for Ireland). They maintained, that, if the ministers had given the pledge as required by the King, they would have been guilty of a high crime and misdemeanor; and the House would have neglected

its duty and betrayed its trust if it had not impeached them. The doctrines of those who maintained the pledge were contrary to every principle of the constitution. Lord Howick said, he introduced the Catholic Bill, conceiving it necessary to the interests of the empire; that much pains had been taken to poison the royal mind; that on the Saturday before the pledge was required, Lord Eldon had an interview with His Majesty; and Lord Eldon and Lord Hawksbury were both sent for to Windsor. Mr. Plunkett (Attorney-General for Ireland) stated, that his Majesty was ill advised when he was led to believe that it was proper to demand such a pledge from his ministers. It had been attempted to excite a religious alarm: the Chancellor of the University of Dublin (the Duke of Cumberland) had endeavoured to procure a petition there against the Roman Catholic Bill. When his first letter was not attended to, he wrote a second, in which he insinuated, in a manner too plain to be misunderstood, that the only way in which the University could recommend itself to his favour, was by presenting such a petition as he required. He (Mr. P.) regarded the situation of Ireland with great alarm; things might grow better or worse, but it was impossible they could remain as they were.

The House divided: for Mr. Osborne's amendment 258, against it 226; Majority for ministers 32.

LORDS COMMISSIONERS' SPEECH.

LORD HOWICK MOVES AN AMENDMENT TO THE ADDRESS ON
OPENING OF THE NEW PARLIAMENT.

June. 26. 1807.

THE Commons attended the Speaker this day in the House of Lords, when the Session was opened by commission. The Lord Chancellor Eldon read His Majesty's Speech as follows:

"My Lords and Gentlemen,

"We have it in command from His Majesty to state to you, that, having deemed it expedient to recur to the sense of his people, His Majesty, in conformity to his declared intention, has lost no time in causing the present Parliament to be assembled.

"His Majesty has great satisfaction in acquainting you, that, since the events which led to the dissolution of the last Parliament, His Majesty has received, in numerous Addresses from his subjects, the warmest assurances of their affectionate attachment to his person and government, and of their firm resolution to support him, in maintaining the just rights of his crown, and the true principles of the constitution; and he commands us to express his entire confidence that he shall experience, in all your deliberations, a determination to afford him an equally loyal, zealous, and

affectionate support, under all the arduous circumstances of the present time.

"We are commanded by His Majesty to inform you, that His Majesty's endeavours have been most anxiously employed for the purpose of drawing closer the ties by which His Majesty is connected with the powers of the Continent; of assisting the efforts of those powers against the ambition and oppression of France; of forming such engagements as may ensure their continued co-operation; and of establishing that mutual confidence and concert, so essential, under any course of events, to the restoration of a solid and permanent peace in Europe.

"It would have afforded His Majesty the greatest pleasure to have been enabled to inform you, that the mediation undertaken by His Majesty, for the purpose of preserving peace between His Majesty's ally, the Emperor of Russia, and the Sublime Porte, had proved effectual for that important object; His Majesty deeply regrets the failure of that mediation, accompanied as it was by the disappointment of the efforts of His Majesty's squadron, in the sea of Marmora, and followed, as it has since been, by the losses which have been sustained by his gallant troops in Egypt.

"His Majesty could not but lament the extension of hostilities in any quarter, which should create a diversion in the war, so favourable to the views of France; but lamenting it, especially in the instance of a power with which His Majesty has been so closely connected, and which has been so recently indebted for its protection against the encroachments of France, to the signal and successful interposition of His Majesty's arms.

"His Majesty has directed us to acquaint you, that he has thought it right to adopt such measures as might best enable him, in concert with the Emperor of Russia, to take advantage of any favourable opportunity for bringing the hostilities, in which they are engaged against the Sublime Porte, to a conclusion, consistent with His Majesty's honour, and the interests of his ally.

"Gentlemen of the House of Commons,

"His Majesty has ordered the estimates of the current year to be laid before you; and he relies on the tried loyalty and zeal of his faithful Commons, to make such provisions for the public service, as well as for the further application of the sums which were granted in the last Parliament, as may appear to be necessary.

"And His Majesty, bearing constantly in mind the necessity of a careful and economical administration of the pecuniary resources of the country, has directed us to express his hopes, that you will proceed, without delay, in the pursuit of those inquiries connected with the public economy, which engaged the attention of the last Parliament.

"My Lords and Gentlemen,

"His Majesty commands us to state to you, that he is deeply impressed with the peculiar importance, at the present moment, of cherishing a spirit of union and harmony among his people: such a spirit will most effectually promote the prosperity of the

country at home; will give vigour and efficacy to its councils, and its arms abroad; and can alone enable His Majesty, under the blessing of Providence, to carry on successfully the great contest in which he is engaged; or finally to conduct it to that termination which His Majesty's moderation and justice have ever led him to seek — a peace, in which the honour and interests of his kingdom can be secure; and in which Europe and the world may hope for independence and repose."

Lord Newark rose, and after shortly alluding to the circumstances which led to the dismissal of the late ministry, and the dissolution of the last Parliament, concluded, by moving an Address to His Majesty, in accordance with the Speech. It was seconded by Mr. Hall, who condemned the conduct of the late administration, as tending to invade the just prerogatives of the Crown, and limit the exercise of royal authority. He conceived that the course pursued by His Majesty was firm and constitutional, such as the House and country had approved of.

Lord Howick opposed the Address. He conceived that the dissolution of Parliament, in the midst of a session, was an ill-judged measure. It had produced public and private inconvenience; it had stopped great national measures in their progress; it had occasioned a proceeding most unconstitutional, leaving the sums voted for public service unappropriated, as no act for that purpose had passed prior to the dissolution; it had caused disunion, and spread religious discord throughout the country; the influence of the Crown had been exercised in a most unconstitutional manner during the election; the forfeiture of an individual's estate had been threatened, unless he and his tenants would support government; they had endeavoured to infuse into the minds of the people of England violent animosity against the Irish Catholics. He earnestly requested His Majesty's ministers to attend to the advice of an honourable gentleman, unfortunately no longer a member of Parliament, the late Attorney-general for Ireland (Mr. Plunkett), and to make Ireland the first and the last object of their thoughts. If any charges were to be made against the late ministers, they should be brought forward openly. It was said, that their measures, with regard to the Catholics of Ireland, was the commencement of an attack on the Protestant religion; this he absolutely denied. The measures they had proposed, were consonant to the spirit of the constitution, and went to strengthen the empire. The opposite party had artfully raised a religious cry: Nottingham (the place for which Mr. Percival, Chancellor of the Exchequer, was returned) resounded with it; he (Lord Howick) was, therefore, an enemy to an administration that was engendered in court intrigue, that was discordant in itself, and that did not possess the confidence of the people. He moved the following amendment:

"That, by a long experience of His Majesty's virtues, we well know it to be His Majesty's invariable wish, that all his prerogatives should be exercised solely for the advantage of his people. That our dutiful attachment to His Majesty's person and govern-

ment, obliges us therefore most humbly to lay before him the manifest misconduct of his ministers, ~~on~~ having advised the dissolution of the late Parliament, in the midst of its first session, and within a few months after His Majesty had been pleased to assemble it for the dispatch of the urgent business of the nation.

"That this measure, advised by His Majesty's ministers, at a time when there existed no difference between any of the branches of the legislature, nor any sufficient cause for an appeal to His Majesty's people, was justified by no public necessity or advantage. That, by the interruption of all private business then depending in Parliament, it has been productive of great and needless inconvenience and expense, thereby wantonly adding to the heavy burdens which the necessities of the times require.

"That it has retarded many useful laws for the internal improvement of the kingdom, and for the encouragement and extension of its agriculture, manufactures, and commerce. And that it has either suspended or wholly defeated, many most important public measures, and protracted much of the most weighty business of Parliament, to a season of the year when its prosecution must be attended with the greatest public and private inconvenience. And that we feel ourselves bound still further to submit to His Majesty, that all these mischiefs are greatly aggravated by the groundless and injurious pretences on which His Majesty's ministers have publicly rested this their evil advice; pretences affording no justification for the measure, but calculated only to excite the most dangerous animosities among His Majesty's faithful subjects, at a period when their united efforts were more than ever necessary for the security of the empire, and when to promote the utmost harmony and co-operation amongst them would have been the first object of faithful and provident ministers."

This was opposed by the Chancellor of the Exchequer (Mr. Percival), Mr. Brown, Sir Henry Mildmay, General Crauford, Mr. Robert Dundas, Sir Arthur Wellesley, and Mr. Croker. It was supported by Mr. Windham, Mr. Ward, Mr. Whitbread, Lord Temple, Lord Henry Petty, Mr. W. Smith, and Sir John Newport.

Mr. GRATTAN rose and spoke to the following effect:—
Mr. Speaker, I shall consider the present question in two points, both as it regards the Catholics of Ireland, and as it affects his Majesty's late ministers. In speaking of their conduct, I cannot suppress the feelings I entertained for them while in office; neither can I be silent on the circumstances which led to, and attended their dismissal. I approved of that ministry, because they preferred their principles to their places. I approve of them, because they constitutionally refused to be restricted by an unconstitutional pledge. I approve of them, because they were sincere in their wish to create national strength, by national unanimity. I approve of them, because they endeavoured to unite the people and

dissolve a party; and I most approve of them, because they wisely ceased to prosecute the justified claims of the Irish Catholics, when they were convinced the prosecution was highly inexpedient. I say his Majesty's late ministers acted wisely in introducing a measure, which, in its origin, appeared highly practicable, and in withdrawing it when they were satisfied it was for the time impracticable. They proposed it with a view to conciliate, and they abstained from precipitately pressing it when they were unfortunately disappointed in that expectation. It is an idle dilemma to say if the bill was expedient, Why not introduce it? and being expedient, why abandon it? I say, if highly expedient, why not bring it forward, and if encountered, why not withdraw it? With a view to concord it was moved, with a view to concord it was surrendered, (here there was a laugh from the ministerial benches.) The honourable gentlemen on the opposite side might laugh, but I contend that the true view of legislation and policy—a policy the most honest, is not to push even a good principle too far, when there is no opportunity of effecting the object, and where the evils arising from the failure must materially detract from the benefits of even ultimate success. In Ireland, I think their administration good;—the opening the ports for Irish corn; the taking off the house-tax from the lower orders; the discontinuance of the martial law bill; the commission for enquiring into the education funds, with a view to establish a foundation for the general education of the Irish, and restoring to their proper use the funds granted for that purpose; the adoption of the principle of abolishing tithes, and paying the clergy in another manner, a measure more home and german to the interest and composure of Ireland than any other conceivable suggestion; their attention to the feelings, as well as the interest of the country in the appointment of its principal officers; their control of that proceeding, so as to keep clear of the views of plunder and revenge; their progress to reform the magistracy; their communication of the patronage of the Crown, and the full benefits of the existing laws to those of the Catholic persuasion; the extinction of a tyrannic ascendancy; their abhorrence of religious divisions, and their rapid progress to communicate the same; their proceeding in all the charges without a view to a vindictive principle, either affecting the religion or the politics of the country, without a view to flatter any party, or to plunder any individual, but to serve the community; their virtue in not attempting to practise the arts of division in the Catholic body, who

wished to prefer a petition; their tenacity of the principle, and the sacrifice they made to it; these were the merits of the late administration. I feel it my duty most strongly to oppose that principle, which, at a moment when we are surrounded with enemies, and assailed with dangers, at a moment when our best and surest safeguard exists in the unanimity of the people, would defeat the benefits of that unanimity, would, at the same moment that it divided the public feeling and distracted the popular energy, hold out to the foe who menaces us, the alarming and detestable hope, that a great majority of those who were most prominent in rank, in talents, in property, had conspired with a great proportion of your physical force, against the acknowledged establishment of church and state. To admit such a position is to perpetuate an incurable evil; it is to infuse into two classes of your fellow-subjects the source and principle of an inextinguishable hostility. To support this evil, great reasons should be adduced by the advocates of disunion, or at least better reasons than we have either heard or found in the speeches and productions of those who have thought it their interest to promote it. In some of their reasons, they appear inclined to admit that the bill in question was innoxious, but that the minister who propounded it was dangerous. The noble lord (Castlereagh), and the right honourable secretary (Mr. Canning), could not, consistently with their former conduct and recorded pledges, war with the principle; they therefore have directed their present hostility against the minister, who had the sincerity to act upon that principle. The right honourable gentleman (the Chancellor of the Exchequer) cannot adopt the principle of his colleagues, because it appears big with danger, and replete with ruin. I condole with him for his fear; but can give no credit to the validity of his statement. I cannot for a moment admit the validity of a statement, the most hostile to the particular interests of Ireland, and the general security of the empire. I cannot, I say, as the friend of my own country, as solicitous for its fame and fortune, give credit to a proposition monstrous in its conception, and destructive in its effect. As a member of Europe, I protest against this unjustifiable and dangerous argument, which tends unavoidably to deprive it of the means of rescue and recovery from the alarming and impending calamities with which it is threatened. I feel proud, that, with all the temptation, with all the endeavours which have been so unwisely and so improperly made, the expedient has not only proved unsuccessful, but hopeless. There is not, I say, any disposition on the part of this country to quarrel with their Irish brethren on account

of religion. The good sense and liberality of the people have prevailed against the misapplied zeal of the bigot, and the interested speculation of the miserable politician. It is the victory of the unadulterated good sense of the English people, over religious discord and unchristian rancour.

If we were to give credit to the church cry, or if there were any ground for it, your situation must be most unfortunate; for at a time when your country has no chance of safety but in her unanimity, a conspiracy it should seem has taken place to destroy her church, and ultimately her state. And this conspiracy has been headed by the most powerful and able of her own inhabitants, assisted by a great proportion of the population of her empire; and if there be any truth in the cry, her remedy is hopeless, because, though she might be saved from the present danger, yet your religious animosities are such, that you can never trust one another; and your fate is, that of a country for ever in dread of her enemies, and of her fellow-subjects. Let us examine the foundation of this anathema.

The addresses, the essays, and the publications on this subject, and the principle of them I have read; weigh them, analyse them, and you will find the whole amount of them, (their attachment, as they call it, to their religion; their devotion, as they call it, to the principles of the revolution,) are reducible to two heads; the first, an objection to the admission of the Catholics into the army, or to the bill framed for that purpose; the second, an objection to their admission into a share of political power. It is an answer to the first objection, to say, that the Catholics are in the army already; that the bill does substantially exist, has existed for above fourteen years; several of your regiments of the line owe their formation to it; that the Irish militia depends upon it; that the Irish yeomanry could not exist without it; that your victories, Monte Video, Maida, and Egypt, were the fruits of it; and, finally, that without it your country could not be defended; and, further, it is offered to put the question to a test, — the Irish bill of 1793 is in your hands. Will the addressers petition to repeal it; if they do, they disband a great proportion of their troops: if they do not, they disclaim their argument; they acknowledge that their cry is false; that the Protestant religion is not in danger; that the operation of the bill is necessary: and they exhibit a singular instance of the domination of bigotry and blindness over the human understanding, in a body professing to apprehend ruin from the introduction of a practice, which practice they have long experienced, have found to be necessary, and

continue to adopt. The second objection is answered in the same manner, — the danger has been tried. The Catholics are admitted to a share of political power already; have been so for fourteen years. They were, by the act of 1793, rendered capable of civil and military offices, and were by the same act qualified to vote at elections; they are, therefore, not a sect; tolerated, but, with certain limitations, a people identified; your equals, our brethren, and a constituent portion of the Commons of the realm; our militia and army do not exist by sufferance; our constituents do not exist by sufferance. The Catholic situation was what I have stated; it was so at the union, and the union could not change it; the objection, therefore, preferred against their admission to a share of political power, is against the fundamental law of the land; and the two objections taken together, that which goes against their admission into the military, or what is called giving the Catholics the sword, and that which goes against their admission to political power, are not what these partizan addresses assume — adherence to our present most excellent constitution, but a direct attack upon the same; a retraction of past concession, and an innovation of the rights of the subject as by law established; going to the disorganization of the whole of our military system, to the disbandment of a considerable part of the troops of the line, of a considerable part of the yeomanry, and of the greater part of the Irish militia.

The partizans cannot escape by saying they only meant to object to the admission of the Catholics to the staff; their objections went to the whole, and to the principle of admission against the king's assent, to a limited as well as an unlimited bill; against the Irish as well as the English bill. But supposing they meant what they did not; to confine their objection to the staff, what then became of their panic and their alarm? or will they hold out to the public as an object of terror such a point as that, a point so small that it can hardly be felt, the solidity of which rests on this hypothesis; namely, that the Catholics of property and education are disloyal, and cannot be trusted; but that the multitude may, and the *gentry may not*. This latter objection is answered by its folly; and the former objections (their plan) are answered by their mischief. A church cry is always mischievous; in the latter years of Charles the Second it invented a popish plot; shed much innocent blood; overturned the rights of the subject; gave a complete victory to the other party, who shed in its turn some of the best blood in the realm; realised the danger which their opponents had feigned; and, finally, for a time, overturned the constitution in church and state. A church cry in the

reign of Queen Anne, deprived your country of the fruits of the Duke of Marlborough's victories; restored France to power and dominion; was a principal cause of your subsequent debt and war, and left the foundation of that power, which now shakes the realm. A church cry, in 1781, attempted to secure the faith by setting fire to the city: the spirit of such outcries is ever little and wild; it deals in some point perfectly trivial, or wholly unintelligible, and it acts on some little selfish sordid interest; the love of power, the love of monopoly, and the thirst of a little galling miserable superiority: hear the supporters of this cry! they are ruined, it seems, by obtaining a greater range of intellectual power; they are ruined, it seems, by enlarging the physical force of their country; they carry the Pope on their shoulders, and cry out no popery; they admit the Catholics into the army, and cry, do not give them the sword; they let them have the elective franchise, and cry do not let them into the constitution: religious alarms are not the efforts of great or comprehensive minds; they originate in low cunning, and operate on ignorant irritability; they are not founded on religion; they are generally expedients of the depraved; they are hatched with the hope of delusion, and are the worst political vices baptized; there is nothing intelligible, nor coherent, nor profound, nor high, nor comprehensive in their reasoning; they strike no legitimate public fire; they command no grand passion; they call forth none of the strenuous qualities of their country, and embattle on her side neither the great virtues, nor even the manly vices of the subject.

It is for those, as well as other reasons, I rejoice that such a cry as I have described, was neither general nor furious. In England, your country is too ancient and too rational: she has suffered too much already by such violence; she is pressed too much at present by real enemies, to suffer herself to fall generally into such practices; as to my country, I must on this late occasion admire her conduct. I have seen on your walls, "*no popery!*" I never saw on her's "*no England!*" The Catholics would not answer folly by folly, and left a drunken challenge to answer itself. Why "*no popery?*" Do the contrivers of that scribble, mean, that you should give up Canada, or that you should renounce your Austrian allies, or that you should refuse the service of the Irish Catholic, and refine your strength down to something very pure, but very slender. They had no meaning; and the Irish Catholic has disdained to put a serious comment on a senseless expression.

They came forward with their petition at a certain time,

and on mature consideration withdrew it with much temper and moderation, and not without dignity. The Irish Protestants on their part, tenacious as they are of their religion, have generally manifested their scorn and abhorrence of the false alarm, and their horror of the divisions incidental to it.

The college of Dublin has declined to address on the subject, against the Catholics; she educates their children; she will not take part against their fathers; the seat of learning will not derogate from her grave and high condition, nor take a part in the game of vulgar mischief. Were religion in danger, she would defend it with her erudition: she now supports it by her dignity and her example; and gives a splendid instance of an ecclesiastical corporation that feels neither the impressions of servility to the court, nor illiberality to the people: — the city of Dublin too!

I do believe the sense of the Protestants of Dublin to be like that of Westminster, — against the stupid cry of no Popery! Many persons of our religion, in that city, who were supposed to be violent and bigotted, I know personally, and found them (though they would not go so far as I should) free from religious animosity, free from malice. The corporation of the city, I do allow, has voted an address to His Majesty, and has also voted a counterpart petition to Parliament against the Catholic claims. I love the city, her ancient charter, her rank in the empire; the honours she has conferred on me, the services I have rendered her, bind me to her for ever; it is, therefore, I differ from her corporation with great reluctance and sincere affection; but on this occasion, in common with a great portion of my fellow-citizens, I must differ, and claim my ancient privilege, still to respect her feelings, and still to prefer her interest.

I can excuse corporations on this subject, and account for these proceedings; they very naturally wish, as members of Parliament are apt to wish, to guard their assemblies against the participation of power. But the general interest is on the other side, and I believe the general sentiment of the community. Sure I am, my country, both in its Protestant and Catholic inhabitants, have shown on the late general election, a strong disposition to concord and peace, and distinguished marks of civilization and temper. They have proved themselves superior to the impression of false alarm, and have shewn that the Irish are neither barbarous nor uncivilized: they are neither — but they are often traduced, and by none more than some of their countrymen, who seek to advance in this country, by abusing their own. On the late occasion the two countries have held a conduct from whence you should

anticipate a very important consequence, not merely such as relates to ministers, but such as relates to the public welfare; namely, that the two nations are disposed to agree. It is a symptom you would do well to cultivate; for if when a question is started in this country, regarding the extension of the privileges of the other, a serious alarm be created; if your country should take that opportunity of expressing its horrors of the religion of a great portion of the people of the other; if you are to disqualify the talents of a portion of that country on account of religion, and disqualify a portion of the talents of your own country, because they will not agree to that disqualification, and excite a general alarm on such a ground, depend upon it we are ruined — you, more particularly, because you have more to lose. We are ruined, not by religion, but by folly, not by the purity of truth, but by a miserable littleness of understanding.

The Irish Catholics see their interest as well as you do, and must know that their property is secured by concord; but if your country should ever make them or their religion the subject of abhorrence, they will forget their policy, and feel the indignity more than their interest; they will feel as you would feel. While they fight the battles of the English the English have no right to attack their religion; against such an attack I protest; it is one thing to refuse to enlarge their privileges, and another thing to raise a cry against their religion. The ministers and the opposition are fair game, and the consequence of an attack on the character of either is comparatively of little public moment. But an attack on a great portion of the community by the other members, is an attack on the community itself, a division of the public interest, and a fatal diminution of her strength; the one is only party, the other national schism, it is recruiting for France in Protestant colonies. You cannot say, let us have no distinction of Parliaments, but preserve distinctions of people. What! deprive her of her Parliament, with a view to an identification of people, and then exclaim against the religion of the people so to be identified. Thus, in the face of the enemy, to protest against one another, first against her Parliament, then against her people, would under any guise, or any pretence whatever, be ruinous to your character and ruinous to your interest, — there is no reason for it.

Your people have not generally done so. They have obtained popular triumphs over religious discord, a greater enemy even than France. You will no doubt press on them, the importance of such a victory, it is the best you can obtain; it is one on which the unanimity of the two islands depends —

your efforts abroad must be precarious; but, at home, you may effect great achievements, and by nothing more than by inculcating above all things the value of concord; this is the great western barrier; that can resist continental inundation, and the interim which Providence allows us, should be employed to raise it.

The principles of safety are like those of motion, or like any other that are necessary for the human preservation; few and simple; it is perverse ingenuity that complicates; tests should be few and intelligible; political tests should be few and simple; nor is this an indifference about religion, *it is religion*; the opposite is not so; it is interest, or it is pride, or it is spite; but it is not piety. You said at the time of the union, you would enlarge your horizon. We say to those who urge the cry, you should enlarge your horizon: confined in his views like the peasant in the valley, he sees a few villages with different interests and divisions; raise him to a view of other countries, those divisions vanish, and those villages appear one nation, with the same interest: he knew his countrymen before by their different features; he now knows them by their resemblance; and he despises their petty distinctions and animosities, his parish jealousies, which fired his little mind and shook his little intellect. So the author of the cry against the Catholics; he must answer his arguments, not by reforming their understanding, but enlarging his own. There is now but one question in Europe, whether she shall exist; you are a principal in the determination of that question, and a false move or a false division on your part sinks your empire and ruins the globe.

At half-past five in the morning the House divided on Lord Howick's amendment: Ayes 155, Noes 350; Majority in favour of administration 195.

Tellers for the Ayes, Mr. Calcraft and Earl Temple.

Noes, Mr. Huskisson and Mr. Charles Long.

The address was then agreed to.

GRANT TO MAYNOOTH COLLEGE.

July 15. 1807.

THE House went into a committee of supply. Mr. Foster (Chancellor of the Exchequer for Ireland) observed, that Maynooth College had been originally intended for the education of 200 priests; for that purpose 8000*l.* was granted; but in the last Parliament 5000*l.* additional had been granted, for the purpose of increasing the number from 200 to 400, and for new buildings:

as part of the expence had been incurred, he would move, "*that 13,000*l.* be granted from January, 1807, to January, 1808.*" The impolicy of continuing the grant in future was argued by the Chancellor of the Exchequer (Mr. Percival), Mr. Leslie Foster, Mr. Hawkins Browne, Dr. Duigenan, and Col. Barry. They conceived it to be dangerous to support the members of a religion contrary to their own; it tended to give the Catholic religion an advantage over the Protestant. The principle of the grant was supported by Lord Howick, Lord Henry Petty, Mr. Sheridan, Mr. Windham, Mr. Dillon, Mr. Parnell, Sir John Newport, and Lord Milton.

Mr. GRATTAN thought it remarkable, that while the gentlemen on the other side agreed to the resolution, they pursued a course of argument directly against it. Their argument, indeed, would militate not only against the proposed increase of the institution, but against its original establishment. The principle of the original establishment was to provide the means of educating and domesticating the Catholic clergy of Ireland, and thus to protect them from the opportunity of imbibing foreign principles. With that view the College of Maynooth was instituted, and the state of the continent at the time rendered such an institution peculiarly necessary. Did any alteration take place in the state of the continent, to abate the amount or character of that university? It was absurd to say, that the same number of Roman Catholic clergymen would suffice for Ireland now that was thought requisite in 1795, for that would be to suppose the population at a stand, and nothing could be imagined more absurd than to suppose that 200 clergymen would be sufficient. There were no less than 2,400 parishes and 1,100 benefices in Ireland; and if so many clergymen were appointed to instruct one million of Protestants, or rather half that number, (for the other half, at least of those denominated Protestants belonged to the different classes of dissenters,) how could 200 clergymen be considered competent to perform the ecclesiastical duties of Catholicity to three millions of people? The idea was preposterous. And as to the expense, the Catholics were generally unable to educate their clergy, and they must be educated at the public expense, or they must be ignorant and a disgrace to Christianity. The expense was trifling, and the object was material. Would any friend to toleration or common policy starve religion to save the treasury 5,000*l.*

Mr. Grattan then animadverted in terms peculiarly emphatical upon the statements of those who dwelt upon what they called the uncivilized state of Ireland. Some, indeed, said the right honourable gentleman, affect to say that the great body of the Irish people are mere savages. I will not

defend the Irish against such a charge, but I will defend you. If Ireland, after having been so many centuries connected with you, has not learned enough at least to rescue it from the savage state, while the world has been progressively improving, its connection with this country has not been a blessing, but a nuisance.

I will never hear any reflection upon the morals or manners of my country, without rising to resist it. I shall always protest against any reflections upon a country, to which I owe so much — to which you owe so much — which is still ready to oblige you, and from which, I trust, you will continue to derive the most active and ardent support.

Mr. Foster's resolution was then agreed to.

IRISH INSURRECTION BILL.

SIR ARTHUR WELLESLEY, (AFTERWARDS DUKE OF WELLINGTON,) BRINGS IN A BILL FOR THE SUPPRESSION OF INSURRECTION IN IRELAND.

July 24. 1807.

ON the 9th, the secretary to the Lord-lieutenant in Ireland, (Sir Arthur Wellesley,) obtained leave to bring in a bill for the suppression of insurrection in Ireland. He said, that an act had passed in the Irish Parliament in 1796, to prevent unlawful assemblies; it authorised the Lord-lieutenant on the report of the magistrates, to proclaim any county where disturbances existed; that act required all persons in such counties to keep within their houses from sun-set to sun-rise; and empowered the magistrates to send persons offending, on board His Majesty's navy. The bill he proposed, contained similar provisions with regard to the power of the Lord-lieutenant to proclaim, and the magistrates to arrest; but it so far differed, that instead of enabling the magistrates to transport, it required that the persons arrested should be tried at the quarter sessions, by the magistrates and assistant barrister, together with the aid of a king's counsel, and a serjeant at law, specially sent down for that purpose. He also moved for leave to bring in a bill to prevent improper persons from keeping arms, by obliging them to register, and authorizing the magistrates to search; he proposed seven years for the duration of these bills. Mr. Grattan expressed his concern that a bill of this description should be necessary; it was violent in its nature, and therefore should be short, and could only be justified by imperious necessity. Leave was accordingly given to bring in both bills; and on this day (the 24th), Sir Arthur Wellesley moved the committal of the insurrection bill. On the clause empowering magistrates to search houses,

Mr. Croker proposed an amendment, that ten minutes should be allowed after admittance was demanded, before the officers should have a right to enter by force; the Chancellor of the Exchequer (Mr. Percival) proposed to substitute the words "reasonable time" in place of "ten minutes." To this proposal Mr. Croker acquiesced; the substitution was opposed by Sir John Newport, Sir Samuel Romilly, Doctor Lawrence, Mr. Whitbread, Mr. Abercrombie, and Mr. Laing: it was supported by Colonel Vereker, Colonel Barry, Mr. John Claudius Beresford: it was urged by those who opposed the measure, that the necessity of such a severe proceeding should be established; that there was no proof of any disturbances in Ireland; that the country was loyal and tranquil; and that the discontent, and the administering unlawful oaths, which had existed some time ago, no longer existed at present.

Mr. GRATTAN said, that the committee were about to invest an extraordinary power somewhere. It ought, therefore, to be done with caution; but who were the persons to be invested with the power? perhaps some lawless miscreant, some low officer, or perhaps the discretion of their "reasonable time," was to be lodged in the bosom of any convenient menial, some postillion, coachman, ostler, or plough-boy, who, under the sanction of the law, was to judge when it would be a reasonable time for him to rush into the apartment of a female, while she was hastily throwing on her clothes, to open the door to this midnight visitor. This would give a wound that would be felt long, it would throw a general odium about the bill; if the character of the bill would be saved, any thing admitting the possibility of such abuse should be sacrificed to it.

The Solicitor-general (Sir Thomas Plomer) conceived, that the case put by Mr. Grattan was not very probable; he confessed he did not feel so very nicely on the subject, as the right honourable gentleman. He thought the words "reasonable time" were much fitter for the purpose, than "ten minutes."

Mr. Grattan said, that the learned gentleman had told the committee what it ought to argue upon, and what it ought not to argue upon. It was good in that learned gentleman to give the committee the aid of his instruction; but is the gentleman quite sure of being himself altogether right? In the first place, all the other questions are not wholly gone; for I may agree to the clause or its modification, or reject both, and afterwards agree to or dissent from the principle of the bill itself. Again, has the learned gentleman been right in his statement of the question? he has argued on the propriety of vesting the magistrate with the discretion of judging of the "reasonable time;" but this is not the question. It is,

whether you vest any commissioned ruffian with that discretion? Here, then, the learned gentleman mis-stated what he was to argue upon; and then did he even argue fairly on that mis-statement? No; for he takes that as impossible which I myself have known to have taken place. He says, such ruffians as I describe could never have been officially employed, and have made their office the pretence of wanton outrage; but I have known such ruffians to have been employed, and such outrages to have been committed. That delicacy of the other sex has been grossly-obtruded on and wantonly insulted; this was no light matter; there was more in that sentiment than a joke could do away: the honour of a female in any class must be held sacred; and it is wrong to make it the subject of parliamentary jocularly.

The Committee then divided: for the "ten minutes," 30; for the "reasonable time," 71: Majority 41.

Upon the period of "two years, and to the end of the next session of Parliament," being proposed for the duration of the act, Sir John Newport objected to it: he proposed it should be annual. This was opposed by the Chancellor of the Exchequer, Colonel Vereker, General Phipps, and Mr. J. C. Beresford. The amendment was supported by Mr. Windham and Lord Howick, who said that he did not mean to oppose the principle of the measure; no change had taken place on the subject since his retirement from office. As to the particulars of the bill, the draught had been only sent to him from Ireland, immediately previous to the change of administration, and he had not had time to peruse it.

Mr. Grattan observed, that the period for the duration of the act was too long; that no reason could be given for, and many reasons could be given against a term of duration for longer than a year. That the bill was an act of power, for such he would still call it, and that the mild use of it would be best secured by making the term as short as possible; such was the case of the mutiny bill; such was the case of the first insurrection act; and such, in general, the case of similar acts passed, because necessary, and limited to a short period; because they suspended the operation of the common law. That he should vote for the bill notwithstanding; that it was not a new measure, but was the continuation of an old act with substantial mitigations, which act was in existence at present, and had been so for the last eleven years; the clause with regard to compulsory oaths was indispensable; the clause with regard to the testimony of witnesses was also indispensable, and had appeared to be so on the late trials; that the clause regarding the trials of persons in proclaimed districts was most materially mitigated, for that, instead of a trial by

two justices, the jurisdiction is transferred to the bench of justices at their session, where an assistant barrister and a king's counsel must be present, and where no sentence, in case of a conviction, can be executed against the opinion of the king's counsel until the case shall be transmitted to the Lord-lieutenant, and the sentence be by him approved and confirmed.

The bill, therefore, was not like the present insurrection bill, nor like martial law; it was, however, a very strong measure, and he voted for it, because he knew there were lately certain secret meetings in Ireland of a treasonable nature, tending to re-organize the country, and prepare for the reception of the French. He did not say these meetings were many or numerous, but he said they existed, and that if they should spread and re-organize the country, the country would be put under military government, and might, in the end, be transferred to France; further, there had been certain disturbances in the west of Ireland, and bodies of men assembled, not indeed connected with France, but capable of any impulse, and if the French were coming, more than capable of a French impulse: further, that France was now mistress of the greater part of the continent of Europe, had made peace with our allies, was making overtures (as appeared from the French bishop's prayer) to Ireland, and had a party in that country already: he desired distinctly to be understood, that he did not say the people of Ireland were turbulent or disaffected; shameful charges! that he had ever condemned such charges as unfounded and unwarrantable, particularly after the recent instance they had given of their temper and good sense, but he did say, that such proceedings as he had stated above warranted the bill under consideration. The crown lawyers in Ireland thought so; they had been employed in different parts of the country, and, therefore, had a knowledge of her condition; the late and the present crown lawyers consulted by the government, united with that knowledge a very accurate and profound skill in the law, and had proved their regard for the constitution, and that, with that knowledge of the country, and skill in the law, and regard for the constitution, they framed or approved of the bill under your consideration. That the minister had stated that it receives the approbation of the present confidential lawyers of Ireland, and we know it was framed by those who preceded them; that the former Irish administration not only approved of the bill, but formed it, and that the most confidential person in that ministry (Mr. Plunket) was a leading character in the law, and distinguished for his regard to the constitution: that

against such authority, and against the information already stated, it would be a bold assertion to maintain, that the government could with safety give up, totally and entirely, the power which, for the last eleven years, she had possessed, and trust to the common law to baffle French organization and French intrigue in Ireland. That such organization and intrigue should be the object on which this bill should act, that he did not think government would venture now to use it for the purpose of party or religious resentment; he did allow, however, the powers given by this law might be abused, but, in the alternative, whether a French party shall abuse your privileges, or the government abuse its power, he thought there could be no doubt on which side the probability rested; besides, the powers of government may be abused, and a remedy remain; but, in the other case, considering the present power of France, if the abuse should be successful there would be no redemption. In short, no abuse of the powers of government could be equal to the danger of suffering France to hatch an organised force in the heart of the country to meet her when she comes to your shores.

He agreed with those, who said Ireland should be won by conciliation, and, therefore, he had been for every mild measure. He had stated, repeatedly, the necessity of the principle of mild government; but he had done more; for, if he had done that only, he had done but little; he stated, or brought forward the particular measures of conciliation, but he would never agree that the disappointments and resentments of the country should be rendered fatal to herself, and that a foreign power should take advantage of them; measures to prevent such an event, are not measures taken against conciliation, but against seduction. He agreed the country was quiet, but, that the peace of the country, and its organization might go on together. The French party had not broken out into tumult most certainly, but, that in order it should not do so, in order that the country should continue undisturbed, and that the French party should not proceed on its organization, such a measure was advisable and would perhaps render the proclaiming any district unnecessary, by holding over that party, the power contained in this bill. He was aware, that the disturbances in the west had been subdued without the application of the proclaiming power given by the act, and he thought the government had acted wisely; but that the disturbances in the west appear, from the report of the trials, to have proceeded on an opinion, that laws against tumultuous risings had expired; and further, that no man could say, that if the French were coming, such

an insurrection could have been speedily put down, and effectually kept down, without some such power; or rather, would any man select such a moment for giving up the power totally and entirely, just after an insurrection had been suppressed, and when an invasion was apprehended.

He was against measures and acts of coercion; and those who thought with him in the last administration, had discontinued the bill suspending the habeas corpus act; had declined to execute the powers given by the insurrection act, and had in the bill under your consideration mitigated that act most materially; but he should never pronounce a bill, in fact tending to prevent the raising a French force in Ireland, a measure of coercion; particularly when you are to fight for these islands on your own ground. We are now, perhaps, to make a last effort; sensible of this, the gentlemen of the side of the House I speak from supported the measure: the situation of Ireland is at this moment, in the scale of empire, every thing. We make no doubt her understanding and conduct would be equal to that situation. She might perhaps save, but she certainly could destroy both herself and the British empire. Petty insurrections would disgrace and ruin her: I am sure her good sense would keep down and deter such practices in any body of men whatever; if she now took a prompt and decided part, she could command her own redress. Ministers should have acceded to the Catholic petition long ago; but the Catholics now, by joining hand and heart, could secure ultimately the object of it; because, no minister in time to come could pretend, that a body of men were dangerous to the state, who, at a critical moment, had contributed to her salvation, and had given a practical answer to all their enemies: thus were their destinies in their own hands, and good sense on either side might save these realms.

It would be wise in gentlemen of property in Ireland, to go to that country, mix with their tenantry, and as they canvass for an election, canvass now for a greater object: they should take care that the people were not oppressed or seduced; that the bill was not abused, and, by their presence, prevent the tyranny of petty magistrates. As to the objection, that there was no information regarding the ground on which the bill was introduced, I beg to observe, that the former ministry had information; the present ministry had the same information.

It was also a mistake to say, that the Irish Parliament, in 1796, had proceeded on the report of a committee. There was no committee at that time, nor was the bill grounded on the report of any committee.

In consequence of my support of the bill, I have received much anonymous and very shameful abuse. I hope my countrymen will put on my conduct a just construction; but if voting for this bill, and on the principles I have stated, should deprive me of the love of my fellow-citizens, I shall feel the loss as the greatest misfortune of my life, and only to be borne with the fortitude which belongs to integrity. I shall vote for the bill, and share the odium.

The committee then divided: for the original clause 68, against it 21; Majority against the duration of one year 47.

IRELAND.

MR. SHERIDAN'S MOTION RESPECTING IRELAND.

August 10. 1807.

MR. SHERIDAN, this day, made his promised motion on the state of Ireland. He entered at length into the affairs of that country, and stated the cause of this motion was the introduction of coercive bills with regard to Ireland; these measures (*viz.* the Insurrection Act and Arms' Bill) were adopted at a time when it was said that Ireland was quiet. The Irish judges and grand juries, at the late assizes, had congratulated the country on the peaceable state in which it was. That there was a French faction in Ireland was true; there always had been a French faction in Ireland since the time of Elizabeth, and there had also been an Irish faction in France. This was the consequence of the bad and wicked laws that had been passed against the people of Ireland; these acts of tyranny and oppression had degraded every fine feeling of human nature. As to the measures in question, no proof had been adduced of their being necessary; such suspensions of the constitution, as these acts contained, were dangerous, and he was always adverse to them; he observed that not one of the promises held out by the union had been realized; in particular that of Catholic emancipation, so decidedly held out by Mr. Pitt, who had, in opposition to his own pledge, come into power without that question. He wished that Ireland should be convinced that every care and attention would be shown to her interests, and therefore he would move, "That the House will, immediately on the meeting of the ensuing session of Parliament, proceed to take into their most serious and solemn consideration, the state and condition of Ireland, in the anxious hope that such measures and remedies may be safely adopted, in regard to the discontents alleged to exist in that country, as may render unnecessary the continuance of those provisions which the legislature of the United Kingdom has deemed it expedient reluctantly to adopt at the

close of the present session, and the permanence of which would be a violation of the rights of the people of Ireland, and a subversion of the spirit and practice of our free constitution."

The Chancellor of the Exchequer (Mr. Percival) moved the previous question. Mr. Windham declared that he believed the bills were necessary, but stated that he would not oppose the motion; Mr. Dillon, Mr. C. Johnstone, and Lord William Russell spoke in favour of the resolution; if, said Lord William, there was a French faction in Ireland, why pursue that system under which it has grown? The Irish people had received a pledge at the union, that they should participate in the blessings of the constitution, and when was that pledge to be redeemed? Mr. Herbert said he could not support the motion; that it was only by the adoption of such plans as had at various times been proposed by Mr. Grattan, that the people of Ireland could be conciliated.

Mr. GRATTAN began by observing, he wished he had been in the House on the report of the arm's bill, because he should have voted for the shorter time, and afterwards he should have voted for the bill; he mentioned this to give a public testimony he was not to be influenced by an outcry. The two bills now being passed, it was desirable that the people should receive them with temper, and the government with moderation. I admit the talents with which my right honourable friend has made his motion, and also the discretion by which, in a part of his speech, he had made those talents appear particularly conspicuous; and as far as the motion went to bring forward into consideration the affairs of Ireland, it shall have all my most hearty concurrence, but I would not agree to that part of it which reflected on the bills.

The arm's bill had in view to disarm those who might get their arms by robbery, as had been some time ago the case, and who kept their arms for the purpose of insurrection; and it seems reasonable, where a banditti had disarmed the farmers by force, that the banditti itself should be disarmed by the law; it seems also reasonable, that those who kept their arms for public service, and for safety, should not be disarmed by those who kept them for mischief — for robbing the farmer and assisting the French.

The insurrection act had in view, the prevention of illegal oaths, and the security of evidence, and so far it was not objected to by any one. The framers of the bill had a further view, namely, to prevent a rebellion, and therefore I think it reasonable, when a district was considered in rebellion, that persons who could not give an account of themselves, and could not be found in their houses after a certain hour, should be proceeded against by means more summary than the common law — but, certainly, by means much less

summary than those contained in the former insurrection act, as by that act they were left to be tried by two magistrates; whereas by the present bill, they must be brought before the bench of justices, where the assistant barrister and a King's counsel must be present, and where no conviction against the opinion of that counsel could be had without the concurrence of the Lord-lieutenant — a mitigation most considerable, still leaving the bill a very strong measure, but not more strong than a suspension of the Habeas Corpus act, nor more strong than some other laws which have passed without an opposition, and have existed without a murmur, from those by whom these bills have been so violently condemned. I am warranted to say, that the description given of these bills cannot be supported, when you examine the bills themselves, and still less, when you advert to the authorities by which they are defended. It will be recollected that the late Lord Kilwarden has been spoken of in the course of these debates, as that constitutional lawyer, who, in his dying moments, expressed his regard for the law and the constitution: yet, he was the Attorney-general who framed the insurrection act, of which, this bill is an essential mitigation. Lord Avonmore had been also mentioned in the course of these debates, as a most constitutional lawyer, (he certainly was so, and was a sincere friend to the liberties of his country;) he has been quoted as having expressed his abhorrence of the violent proceedings of 1798, and of bills to indemnify the same; yet he gave no opposition to the insurrection act, not in 1796, nor 1797, nor 1800. The law servants of the Crown in Ireland, under the late administration, were distinguished for their knowledge of the law and love of the constitution; and were, by being on the special commission, particularly informed of the state of the country. The Attorney-general (Mr. Plunket), distinguished for legal knowledge, and constitutional knowledge, and for a contempt of salary, equal to a regard for law, with a recent knowledge of the state of the country, framed this bill, assisted by another person, the Irish Solicitor-general (Mr. C. Bushe), an individual not merely known, but celebrated for his genius, as well as his professional knowledge and love of the constitution, and just arrived from the scenes, where he had the best opportunity of knowing the state of the country; these individuals had framed the present bills. It has been said, that the ministers past and present, have not mentioned that the bills were necessary — I must deny that position. The confidential ministers of the last administration had the other night in so many words stated that the bills were necessary, and the present ministry had (if I under-

stand them) said no less, and a former minister of Ireland, distinguished for his mildness, had not, as was observed, denied the necessity, but had in another place voted for the bills, and given, as appears from the papers, his reason, that **HE** thought they were necessary. The late Irish ministry had not only declared the bills to be necessary, but in conjunction and with the approbation of the leading law characters in their confidence, had framed them. With such authorities I do not hesitate to vote for the bills; and further, I do not hesitate to say that they were not, that they could not be what their opponents had described, and the outcry against them I would pronounce was wholly void of foundation. Under the above mentioned circumstances, I not only do not fear to vote for the bills, but I should have feared to have voted against them; for if they erred on one side, and the bills were not necessary, the extent of the evil would be, that Ireland would be for two years and some months subject to laws much milder than had existed for the last eleven years. But if the error were on the other side, and that bills necessary to prevent insurrection should not be re-enacted, in that case, on the success of an insurrection, we should be subjected to France; or on the event of its failure, we should be subjected to all the evils of abortive rebellion; the violence, the oppression, the rapine committed on the people, and, finally, to a permanent iron government, the natural consequence of miserable revolts repeatedly subdued, and returning; I have no hesitation to say, that the liberty of Ireland could not survive a repetition of abortive rebellions; and I am therefore defending not merely the government of the country, but the liberty of the people. I am defending both against the danger of a foreign yoke, and against the danger of abortive insurrection. I have observed the late progress of France, and have considered the present crisis, as far as it concerned Ireland. I believed in its extent, and therefore I have taken a leading part to declare my sentiments. From the letters I have received from Ireland, I am warranted to say, that my sentiments and my conduct on the late bills have, by the most intelligent part of my countrymen, been approved of; and by their approbation, justified and gratified. I will not yield to an outcry, or capitulate with popular error; but, conscious of the justice, and truth, and integrity of what I deliver, I will maintain the honesty of my sentiments against the disaffection of one description of men, and the mutability of another.

I beg to observe, that they who argued most powerfully against the bills, have argued abstractedly, without relation to the countries connected with the subject, omitting Ireland;

and omitting France, they forgot what was and had been the state of Ireland, and they forgot what was now the state of France. My right honourable friend (Mr. Sheridan) had acknowledged there was now a French party in Ireland, and had added, there had ever been one in that country: if, then, France had always had a party in that country, how much more dangerous must that party be now, when France has subdued the continent of Europe? And how much more necessary, after what has lately happened in Ireland, and has recently happened in Europe, to be vigilant with regard to that party, which, however insignificant, as I hope it is, at this moment from its numbers, yet is now extremely sanguine, and from its potent alliance, if not watched by the state, may become extremely formidable? Here I appeal to every intelligent man, who, free from prejudice, free from influence, and free from guilt, knows Ireland, and loves it. It is a ridiculous affectation to say that the character of Ireland is impeached, when we pass a law against the partizans of France. Laws had been made against the White Boys; did they impeach the character of the country? And against the Hearts of Steel, and the Right Boys; did those laws impeach the character of the country? Those or similar disturbances, are frequently, if not always, to be found. You remember the mob in 1780, in London; in great and populous nations they are eruptions of a strong body, and prove not its infirmity, but its vigour. The people of Ireland are loyal and well affected, and yet there is a French party in that loyal country: you must guard against that party, without regard to its clamour, or the clamour of those who join in every outcry.

They who have argued against the bills, had resorted to reasoning which would go equally strong against all acts passed against public disturbance, and all those occasional laws which the circumstances of the time render necessary. The privileges of the constitution are suspended in the mutiny act; Why? that the state may have an army. You suspend the privileges of the constitution by the present bills. Why? that in Ireland the French may not have an army. If gentlemen wish to be still further informed of the necessity of the laws made against insurrection, I would refer them to a report of the trials lately had on a special commission in the west of Ireland, and to the speeches of the counsel and the judges on that occasion, and there they will find that the disturbances in that district, had not a little prevailed from an opinion, that the laws against tumultuous risings had expired, and they will see the wisdom of the then government, in not resorting to the powers given by the insurrection-act; and also the prudence of the same

government in framing those bills, whereby some of the powers of the insurrection-act were under mitigation, and for a limited time continued.

The motion of the right honourable gentleman, introduces not only the subject of the two bills, but also the state of the nation. I wish to consider it, at present, under three heads: education, agriculture, and religion. Regarding the first, a commission has been appointed to enquire into its funds; and it appeared, that, by royal donation, about 8000 acres had been granted for the purpose of establishing grammar-schools: these produced about 5000*l.* a year; and, probably, if let to the value, would produce much more; but the number of scholars do not exceed three hundred, of which not more than fifty-eight were free scholars. Of that number, one school alone, whose fund is 100*l.* per annum, educated 40 free scholars; and all the others, whose funds were 5000*l.*, educated only 18. From that view, and from a more minute investigation of the subject, it would appear that the plan had not succeeded, and that it might be eligible to establish two or more great public schools resembling those of Eton or Westminster, or Winchester, subject to constant visitation, which schools might be supplied hereafter from the royal funds, as the present schoolmasters should fall off, and in the mean time by public grant. Some of the present schoolmasters, I believe, are not only competent to instruct, but are men of distinguished capacity; yet I insist the plan of small free schools on royal foundation has not succeeded; and that it would be better to plant learning in considerable public schools, or colonies, where it might propagate, rather than to place it in small bodies, where it would perish. Having dwelt upon this for some time, he observed, that by the twelfth of Elizabeth, every diocese was to maintain a free school, so that, by law, there should be 34 free grammar-schools, besides those on royal foundation. There were also funds by individuals, for the support of grammar-schools, of no inconsiderable amount. By the 28th of Henry VIII., the clergy were obliged to provide each parish with an English school; and it had appeared in the year 1788, or about that time, that in less than 400 of those schools, 11,000 children had been educated. In forcing this act with much qualification, and like the other act, namely, the 12th of Elizabeth, in favour of diocesan schools with qualification and mitigation also, it would be found that the present laws, if enforced, had provided both the upper and lower orders of the people with funds for instruction. Having dwelt for some time on the provision for charter schools, amounting to above 20,000*l.* a year, he proceeded to the second head,

namely, that of agriculture, which he suggested might be promoted by the removal of tithes, and a substitution for the payment of the clergy, in the place thereof. He had heard of three modes: substitution by land, substitution by modus, and substitution by salary. The first was liable to this objection, it must be very slow, and extremely difficult. The second, that by modus, was certainly much less embarrassing, it relieved the farmer from one great objection to tithe, namely, the uncertainty, it prevented the increase of demand on the increase of industry, and was an idea familiar and recognised, certain produces had been subjected to a modus by act of parliament, others by common consent; and when the clergy were enabled to recover the tithe of 1786 by statute, the statute enacted, that they should recover by acreable ratages, on an average of the three antecedent years, to be ascertained on oath. However, he thought the third method of substitution the best, viz. salary; a commission might be appointed to ascertain the receipt of the parochial clergy, for a certain number of years; and having thus ascertained the receipts of each living, the sum should be raised by applotment, in the manner of county presentments. The clergy should be secured against a depreciation in the value of money, by having at certain periods a comparative valuation of the leading produce of the land, suppose corn, and a proportional rise in the income of the clergy: this plan was in his opinion very practicable, and would, as he conceived, put the clergy in a better situation than at present; giving them, for their income, public security, and relieving them from all the painful consequences, and uncertainty attendant on the payment by tithe. He begged to observe, that there was no doubt whatever, but that the late disturbances in the West of Ireland arose from tithe. The Right-Boy insurrection arose from tithe; the White-Boy insurrection from tithe; and the Hearts of Steel insurrection from tithe. Whatever method should be adopted, he thought a due regard should be had to the interest of the church, and the necessity of a respectable and dignified establishment. He should not have gone into these subjects, but that they were in the contemplation of the former administration, and were in progress, and he hoped would not be neglected by the present. Having dwelt for some time on this subject, he came to the third part, namely, religion. And here he observed, that, notwithstanding temporary bars, the success of the Catholic claims might be ultimately secured by the Catholics themselves. Against the full participation of the privileges of the constitution by the Catholics, at any time hereafter, one argument, and one argu-

ment only, had been adduced, namely, that, to establish their religion, they would use those privileges to favour the enemies of the country in subverting the government. All the arguments against the Catholic religion, were only inducting to that conclusion; they who argued against the mass, against transubstantiation, against the worship of the Virgin Mary, were not so absurd as to say, that such things ought in themselves to disqualify; but they said, that the persons holding such things as an essential part of their religion must wish to establish them on the ruins of the Protestant faith, and to accomplish that end would join the enemy. I hold such a position in contempt; I ever have, and still do, despise and deride it, as destitute of foundation in fact and argument. But the Catholics can now answer it themselves, and refute their enemies with more effect than any of their advocates, by doing what they are doing, joining cordially their brother Protestants against the enemy; such a conduct must render the claims of the Catholics hereafter wholly unanswerable. The importance, at this moment, of Ireland, and of course the Catholics, as a great proportion of her inhabitants, was such as might decide the fall of the British empire: the part, therefore, that they took on this occasion, must decide their own; taking a leading part to save that empire, what man would be listened to afterward, who should quote against them the canon of Constance, or any of those musty scrolls of which we have heard so much, and of which I hope I shall hear no more. I was glad to see an idea of this sort, adopted by the people of the county of Kilkenny, whose resolutions I had read, observing how much they deserved praise; if there was good sense in either country, both might be saved. I deprecate prejudice on one side, and impatience on the other; I reject the supposition that there stood against the Catholics any permanent bar, the bar was only temporary, and those who should now, in the defence of the empire, share the danger, must ultimately share the privileges. If Ireland saw her present situation, with a spirit which was truly great, if the strength of her mind is equal to the importance of her station; if she contemplates the present state of things, with a temper superior to a senseless outcry against necessary laws, and with the same sense which she had felt in 1779, when she recovered her trade, or in 1782, when she recovered her liberty, she may find at once credit and security; she will find them in the suppression of every kind of insurrection, in the determination to resist a foreign yoke, and in the oblivion most absolute and unfeigned of all animosities on account of religion. If she looks to example, she may find them in other

nations, she may find them in her own. I have pointed out to her the best and wisest conduct to be pursued; and, following such conduct, she must obtain, by legitimate means, all her legitimate objects; not merely the discontinuance hereafter of these two bills, for they are not her grievance, nor would their repeal be her remedy, but the repeal of all those severe bills which distinguish the condition of an Irishman from that of an English subject, and deprive the former of what I hope will ultimately be his inheritance, all the privileges of the British constitution.

Mr. Sheridan replied, and the House divided.

Ayes 33, Noes 76; Majority, 43.

ORDERS IN COUNCIL.

March 11. 1808.

ON the 16th of May 1806, the British government issued an order in council, declaring the coast included between the Elbe and Brest to be in a state of blockade. On the 21st of November 1806, Buonaparte issued his Berlin decree, declaring Great Britain and her dependencies to be in a state of blockade. On the 7th of January 1807, the British government issued an order in council, prohibiting neutral ships from carrying on the coasting trade of the enemy. On the 11th of November 1807, the noted orders in council were issued, which declared the continental ports from which British ships were excluded to be in a state of blockade, (except in cases of ships cleared out from Great Britain,) and rendered liable to condemnation all neutral ships trading to or from the ports of the enemy, and his dependencies. On the 7th of December 1807, Buonaparte issued his Milan decree, declaring that any neutral ships which should have touched at a British port, or submitted to be searched by British cruisers, should be liable to condemnation; and, on the 22d of December 1807, the American embargo took place. In consequence of these measures, the trade of England was greatly affected, her exports and imports considerably diminished, the linen manufacture of Ireland materially injured, and the manufacturers in both islands in great numbers thrown out of employment. Numerous petitions were presented to both Houses of Parliament against the orders in council, which, on the 26th of January 1808, were, by command of his Majesty, laid before the House of Commons. On the 5th of February, the House resolved itself into a committee of ways and means, and the orders in council were referred to it; a bill was then introduced, for the purpose of indemnifying persons who had been concerned in them, and an order in council bill was likewise introduced, imposing certain duties upon goods conveyed in any

vessel that came within the description set forth in the orders in council. The bill was read and committed on the 18th of February. The third reading was adjourned to the 11th of March. It was opposed by Mr. Ponsonby, Dr. Laurence, Lord Henry Petty, Mr. Baring, Mr. Whitbread, the Earl Temple, and Mr. W. Smith. The orders in council were supported by Lord Castlereagh, Sir W. Scott, Mr. Stephens, Mr. Rose, and the Chancellor of the Exchequer (Mr. Percival.) On this day (the 11th) they were supported by the Solicitor-general (Sir Thomas Plomer), Mr. Rose, and Mr. Bankes. They were opposed by Mr. Alexander Baring and Mr. Grattan.

Mr. GRATTAN said, he was of opinion, that the name of the country, and the character of the country, were the only strength which it retained upon the continent; and that whatever was fatal to its character must be fatal to its interests. Viewing the measure before the House as inconsistent with justice, and, of course, injurious to the character of England, he felt himself bound to oppose it. He deprecated the idea of acting upon the principles of France; pursuing the system which gave birth to this measure, and taking away the best of our friends, by involving us in war with America. No measure should be more studiously avoided by England, than that which threatened to deprive us of the affections of America, or was likely to lead to a war with that country. For the effect of a war with America would be to render the interests of France triumphant, and to engage our fleets in the service of the enemy. None of the arguments of the learned gentleman (Sir Thomas Plomer), who preceded him, served to show that the empire would be benefited in its financial, commercial, manufacturing, or political interests, by these orders in council, while the evils they menaced were obvious.

There were two capital faults in the speech of the learned gentleman; the one of law, the other of fact. He was erroneous in his definition of the law of nations, and his conceptions of the principles of the late ministers. For the law of nations could never sustain the notion, that because the decree of one belligerent might affect the interest of neutrals, the other belligerent was warranted in controlling the trade of neutrals altogether. And in order to understand the principles of the late ministers, gentlemen had only to look to the letter of Lord Howick to Mr. Erskine, and to the memorial of Lord Holland and Lord Auckland to the American commissioners; from both of which it would be seen, that the further proceedings which the late ministers proposed to take against neutrals, were only in case they acquiesced in the French decree. They did not call upon neutrals to resist that decree, as the learned gentleman argued, and therefore the assertion was unfounded,

that the present ministers acted upon the principles of their predecessors. According to these principles, America, not having acquiesced, should not have been proceeded against, upon the grounds stated. Indeed, the faith of the British government was pledged to America in the dispatches he had referred to, that no such proceedings should be taken. He laughed at the idea of reducing the tone of the enemy, or pressing him to peace, by any privations the operation of this bill might produce upon the Continent. We might refuse Jusuits' bark to the French soldiers; we might inflict pains and penalties, by the acrimony of statutes, upon those who were saved from the severity of war, but the calculation was contemptible, that by such an expedient, or by refusing tea and sugar, we could coerce the French, or the Spaniards, or, least of all, Buonaparte. On the contrary, we should only enable that potentate to injure our reputation, and inflame the prejudices of his subjects against us; therefore, this measure would not injure the enemy, while it would expose us to odium. With regard to the commercial effects of the bill before the House, the question was, whether it would be politic in us to deprive France of her commerce? Such might be the policy of Buonaparte, but it could not be ours; for France, deprived of commerce, would become more formidable to us; she would become a nation of soldiers. But if the commerce of the Continent were done away, what was to become of the commerce of England? France and England would return to their natural relations; and if so, the advantage must be on the side of the enemy; therefore it was quite absurd for England to talk of destroying commerce. But the effect of this measure upon Ireland was peculiarly alarming, and must be more so. Flax-seed, so essential to her staple trade, was in the proportion of four-fifths of her annual consumption imported from America, as appeared from accounts on the table. It was said, that the stoppage of the continental trade would give the Irish trade an advantage, by excluding the competition of the linens of Germany: but what was the fact? At the last Irish market, the sale of linen was not beyond one-fifth of its usual quantity, while its price was depreciated at the rate of ten per cent. for home consumption, and twenty per cent. for the foreign market. Another, and a serious injury to Ireland would result from the loss of its commerce with America, in consequence of the supply of staves, one of those articles which she annually used in her provision trade, and for other purposes, and annually imported from that country. Ireland, therefore, must be peculiarly affected by an American war; indeed, she suffered so much by the orders in

council, that, should they be persisted in, some separate provision ought to be made for that country. An American war, however, appeared much more dangerous on other grounds, than any that could arise out of mere commercial considerations. He called upon the British Parliament to consider the consequences of separating Great Britain and America, and thus dividing and weakening the only force that remained in the world to sustain the character of liberty and hold out hopes to the Continent. He concluded with exhorting the House to reflect, that any loss to America or England, would but add to the accumulated gains of France, and would advance the strength of that power which was equally the enemy of both.

The House then divided on the third reading of the bill: Ayes 168, Noes 68; Majority 100.

ROMAN CATHOLIC PETITIONS.

MR. GRATTAN PRESENTS THE ROMAN CATHOLIC PETITION.

April 12. 1808.

MR. GRATTAN observed, that he held in his hand a petition from a numerous body of men, styling themselves Roman Catholics, and praying relief from that House, in the hope that they might be admitted to the franchises of the constitution. He should not, for the present, enter into the matter of the petitioners' case, but content himself with moving, that the petition should be received, and do lie upon the table. On the 16th of May, however, he should submit a proposition to the House upon the subject. He fixed upon that day as the most convenient to several gentlemen who took a warm interest in the petition, and he trusted it would prove equally convenient to the gentlemen opposite. He had only to add, that this petition was signed by a great proportion of the most respectable members of the Catholic body, many of whom had actually subscribed the petition, whilst others, whose names appeared to it, had their signatures affixed by authority given to the persons who subscribed for them. The petition, however, he should present as that of the persons only who had actually subscribed their own signatures to it. He moved therefore that the petition be received.

The Chancellor of the Exchequer (Mr. Percival) wished to know what proportion the real bore to the affixed signatures.

Mr. Grattan said, he was not prepared to say what was the proportion, but that the number of affixed signatures amounted to several thousands; that all signatures by the authority of the parties were written in the same hand, whereas the *bonâ fide* signatures were written in the various hands of the subscribing persons. He could prove the signatures of some of them himself, and these were men of the highest respectability, some of them, for instance Lord Fingall, being at present in London. He had stated in candour the nature of some of the signatures, and with a view to guard against any imputation that he had presented a petition purporting to express the sentiments of persons who had never subscribed it. Every person whose name appeared to the petition, was ready to come forward and subscribe it; but he had thought it better to present the petition in its present form, than to send it back to Ireland, and risk the consequences of the various meetings that must necessarily be called in order to obtain signatures.

The Speaker being appealed to, said, that if a petition was offered to the House with signatures avowed not to be in the hand-writing of the parties whose names they purported to be, it was not receivable: there were two ways of proceeding; the signatures that were not real might be erased, and the petition presented with the original signatures; the other was, to detach the signatures that were not original, and present the petition with such signatures as remained annexed to it. The Chancellor of the Exchequer said, he was not desirous that the petition should be rejected, but that it ought to be withdrawn, in order to have it presented in a more regular form. Mr. Maurice Fitzgerald, Sir John Newport, Sir Henry Parnell, and Mr. Tierney, were anxious that the petition should be received; the delay and difficulty, as well as the inconvenience to the petitioners would be considerable, should the petition not be received.

Mr. Grattan lamented the awkward situation in which the petitioners would be placed if this petition should be rejected. It would be an inhospitable reception that would be given to the claims of the petitioners. If the rule laid down was to be strictly observed, it would be peculiarly severe with respect to petitions from Ireland. No member who might present one from that country, particularly if it was of a popular nature, could possibly prove that all the signatures were real. Under these circumstances, the people of Ireland could have no communication with that House. He had presented petitions from several cities in Ireland, the signatures to which he could not have verified. He left it to the good sense of the House, whether they ought to be too critical in judging of petitions,

when they conscientiously knew that the petitions contained the sentiments of those whose signatures were annexed. He protested against the application of the statement of the honourable Baronet (Sir R. Peele) to this case, because he was perfectly convinced, that the petition expressed the real sentiments of all whose names were subscribed to it. If they sent that back which other great bodies received, would not the Catholics of Ireland be discouraged from any communication with the Lower House of Parliament? He remembered having presented a petition at one time to the Irish Parliament, which had 40 or 50,000 signatures, of which only 7000 were original; yet that produced no difficulty. He knew it was discretionary in the House to receive the petition in its present shape, and he must put it to their discretion. If the petition was to be sent back, and meetings should be called for obtaining signatures, it was not his fault. He would not undertake the responsibility of it. He could authenticate many of the signatures himself, as others could many more; and he therefore again put it to the good sense and discretion of the House to receive the petition.

After a few words from Mr. Yorke, Mr. Whitbread, and Mr. W. Smith, the petition was withdrawn.

MAYNOOTH COLLEGE.

April 29. 1808.

THE House resolved itself into a committee of supply. Mr. Foster (Chancellor of the Irish Exchequer,) moved the grant to the Maynooth College. The grant in the last year had been 13,000*l.* it had in former years been 8000*l.* for the education of two hundred students; and though he had proposed to reduce the grant of the preceding year, yet he wished to add to this latter sum for the support of the fifty new students; and he accordingly moved that a sum not exceeding 9250*l.* Irish currency, be granted to defray the expenses of the Roman Catholics' seminary in Ireland. Sir John Newport moved to leave out the sum of 9250*l.* and substitute 13,000*l.* Sir Arthur Wellesley (Duke of Wellington) said, that the lesser sum would be sufficient: 2000 priests were the number he understood to be necessary in Ireland; 111 students were educated in different parts of the island, and these, with 250 to be educated at Maynooth, made 361, a number he thought sufficient to keep up the necessary establishment. Mr. Croker, and the Chancellor of the Exchequer for England, (Mr. Percival) supported the lesser grant. It was opposed by Mr. W. Elliott, Mr. Ponsonby, Mr. Maurice Fitzgerald, (knight of Kerry,)

and Mr. Grattan. They said, that, prior to the French Revolution, 478 students were educated on the Continent for the Catholic priesthood of Ireland, of which 426 received gratuitous support. If that number was necessary in 1793, a greater number must of course be requisite now; if they were not to receive instruction at home, they could not receive any instruction at all; inasmuch as the war cut off all intercourse with the Continent, and that it was much more desirable that they should be educated in Ireland, than to be exposed to imbibe foreign sentiments and hostile feelings. Mr. Maurice Fitzgerald begged to remind the Chancellor of the Exchequer (Mr. Percival,) that the religion of Ireland had formerly been Roman Catholic; it was by the confiscation of their property, that the families of those who supported the right honourable gentleman had been enriched, and from the same source, the Dublin University, and other Protestant seminaries, had been endowed, and if the Union had not taken place, the Irish legislature would have increased the grant; the system pursued by the Chancellor of the Exchequer (Mr. Percival,) had been tried for centuries, and, instead of making converts, had but confirmed the Catholics in their adherence to their faith. Mr. Parnell read extracts from documents in the year 1793, when Defenderism broke out in Ireland, and in 1798, the period of the late insurrection, to show that the loyalty and peaceable demeanour of the Roman Catholic clergy were unquestionable.

Mr. GRATTAN contended, that a provision for the education of 250 students would be insufficient to supply the vacancies that would occur in the Catholic clergy, by deaths or casualties. To make up for this deficiency, the country would be left to two chances, private or foreign charity. One right honourable gentleman had said, that 111 were educated for the priesthood in private seminaries. But the education in these being only preparatory for the college, that was no education for the priesthood. By reducing the grant, the House would secure the ignorance and inveterate prejudices of a great portion of the Catholics. Proselytism was not to be expected under such circumstances. Religious conformity was impracticable, and political conformity, which was in their power, they would destroy by the course proposed. In endeavouring to enforce religious conformity, they would make the mass of that people inveterate Catholics, and political enemies. Give them uneducated and ignorant priests, and you weaken the Protestant religion, and the Protestant government. If provision be not made at home for the education of their clergy, they must seek it abroad. At present, that could not happen, but we ought to look forward to a time of peace, when they would go abroad and bring back with them foreign connections, and foreign obligations. Why did we fear the Catholic religion? Was it not from the foreign connection which it involved, and

whilst the spirit of Buonaparte pervaded the whole of the continent, was that a time for keeping up the connection? The students who went abroad for education under such circumstances, would acquire the same deistical principles and political antipathies that would spread every where around them. They would therefore return religious deists, and political Catholics, to the great danger of overthrowing the government. It was true, that neither the ministers of the Methodists, nor of the Quakers, were educated at the public expence; but they were few in comparison, and the Catholics formed the great body of the people of Ireland. If the priests had any influence over the Catholics, they should be educated with sentiments of domestic attachment, not with those of our political enemies. He doubted whether the priests had as much absolute influence over the people of Ireland as was supposed, and the cause was, that they were not well educated. If they wished the Catholics of Ireland to be well conducted, they should make their priests objects, not of contempt, but of veneration. The Protestant religion was not to be extended by demoralizing the Catholic clergy. They might civilize the people of Ireland, but could not make them Protestants. The saving proposed was very contemptible. The Catholics would gain by the larger grant, the Protestants would not lose, and the public could sustain no injury by it: on the whole, therefore, he should give his support to the amendment of his right honourable friend.

The committee divided: for the larger grant of 13,000*l.* 58; for the lesser grant of 9,250*l.* 93; Majority 35.

GRANT TO MAYNOOTH COLLEGE.

May 5. 1808.

ON this day Mr. Wharton brought up the report of the committee of supply, relative to the grant of 9250*l.* for the Roman Catholic College of Maynooth. On the question that the Resolution be agreed to, Sir John Newport said, that the reduction of the grant of last year was calculated to irritate the Roman Catholics of Ireland; the question now was, whether the Catholic priests should be educated at all. When he beheld the situation of Europe, and considered that the Catholics were excluded from the Continent, and perceived the recent promotion of individuals who had distinguished themselves by heaping obloquy on the Catholics, (alluding to Dr. Duigenan, who was to be created privy councillor of Ireland), and who were much fitter for other institutions than the councils of His Majesty, he did not think this a fit

time for the reduction of the grant: he accordingly moved that the report be recommitted. This was opposed by Sir Arthur Wellesley, Mr. Wilberforce, Mr. Stephens, the Chancellor of the Exchequer, and Dr. Duigenan. It was supported by Mr. Ponsonby, Mr. Barham, Mr. C. Wynne, Colonel Montague Mathew, Lord Milton, Lord Henry Petty, Mr. Tierney, and Mr. Grattan. As an instance of the good conduct of the Roman Catholics, it was stated, that Buonaparte had made an offer to induce Irish students to go for their education, from the institution at Lisbon and from Ireland, to France; this invitation was signified to the Catholic ecclesiastics of Ireland, who, in consequence, expressed their determination to denounce suspension against, and to exclude from the priesthood any student who should transfer himself to Paris. Colonel Mathew stated, that it was rumoured that ministers were disposed to agree to the grant till they went to St. James's, and were closeted with a royal duke, (the Chancellor of the Dublin University,) and through this influence, the reduction of the grant was sought for. To a question from Mr. Tierney, whether the order for the appointment of Dr. Duigenan to the privy council had gone over? Sir Arthur Wellesley (Irish Secretary), replied, that the Lord-lieutenant had recommended the learned gentleman to be made a member of the privy council.

Mr. GRATTAN was sorry to see gentlemen enter so largely into an attack on the religion of one-fifth of the subjects of these kingdoms. He believed they spoke in the sincerity of their hearts, and from the purest motives; but these would produce consequences deadly to the interests of this country, and advantageous to France. To discourage the education of the Catholic clergy in Ireland, and thereby to drive them to the Continent; in other words, to receive the precepts and charity of Buonaparte, was to throw them at his feet, and of course to teach them to detest England.

The House then divided on the question, "that the Report be recommitted:" Ayes 106, Noes 87; Majority 19.

Tellers for the Ayes, Lord Milton and Mr. C. W. Wynne.

Noes, Sir Arthur Wellesley and Mr. Huskisson.

On the question, that the resolution be finally agreed to, Mr. Tierney moved, "that the further consideration be postponed to a future day."

The numbers on this motion were, Ayes 82, Noes 112; Majority 30. — Tellers the same.

ROMAN CATHOLIC QUESTION.

May 25. 1808.

ON the 23d, Mr. Grattan presented the Roman Catholic petition, which had been withdrawn on the 12th of April, for the purpose of obviating the objections then made to its reception, several signatures having been affixed by authority. It was received and read; and Mr. Grattan then gave notice, that, on the 25th, he would move for a committee to take the petition into consideration: and on this day Mr. Sheridan, Mr. Butler, Mr. M. Fitzgerald, and Sir John Newport, presented petitions from the Roman Catholics of the counties of Wexford, Kilkenny, Kerry, and Waterford, praying to be admitted to the privileges of the constitution; and Mr. Shaw presented a petition from the Lord Mayor, Aldermen, and Common Council of Dublin against the Roman Catholic claims.

Mr. Grattan then moved, that the petition which he had presented on the 23d be again read; which being done, he spoke as follows:—

The petition which the House has just heard read, contains the sentiments of the Catholics of Ireland: not only that petition, but the other petitions presented this day speak the sense of that body. I may therefore fairly assume, that they speak the sentiments of four-fifths of the Irish population. The petitions come from a considerable portion of your electors, having political power, forming a part of the United Kingdom, and applying to the constitutional organ for a legitimate object. In discussing the merits of the petitioner's claims, I should recommend to gentlemen to avoid any intemperate language, and to adopt a spirit of concord, that nothing may pass in debate which shall sharpen the public mind. Whatever decision the House may come to, upon the motion which I shall have the honour to propose, I should hope that the temper with which it will be met, and the manner in which it will be argued, will rather approximate than remove to a farther distance, the great objects of justice and policy; with such hope, therefore, I wish gentlemen to apply the balm of oblivion, and not revive topics, which can only serve to irritate and inflame; that they will not go back to the battle of the Boyne, nor to the scenes of 1641, nor to any of those afflicting periods, in which both parties contended against each other. If you go back, so will the Catholics; if you make out a law against them, they will make out a case against you; we

shall have historian against historian ! man of blood against man of blood ! the parties will remain unreconciled, and irreconcilable ; each the victim of their own prejudices ; and the result will convince you, that the victory remains only for the enemies of both.

In the course of so many years of contest and prejudice, evils must have been engendered, national calamities must have multiplied, and much violence must have passed, In the tempests to which Ireland was reduced, by the two contending parties ; the one fired by bigotry, and intoxicated with victory ; the other overpowered by misfortunes, and wrung by oppression : I say, it is impossible but that great political evils must have arisen. However we may lament those times, we must all agree that in settling their accompts, there is much to admire in both parties ; but there is something to forget : events have happened since these periods, which make it necessary to do away those religious distinctions. When gentlemen call to mind the war, and the consequent dangers which menace our empire, they must be convinced that unanimity is necessary for our existence.

A cordiality in co-operation, is what I strenuously recommend ; and I most sincerely hope, that the good sense of both nations, will supply the want of national concord. We are now arrived at that period, when the cessation of all party rancour, and religious animosity, is not only desirable, but indispensable : it is a sentiment which not only the Irish Catholic and the Irish Protestant should feel, but which should be the guide of both nations in their intercourse with each other.

With great concern, therefore, I saw scribbled on the walls of this country, these idle words " No popery." What could be the object, or the hope of those who encouraged so wicked and abominable a cry, I cannot pretend or divine. It could not be for the purpose of promoting unanimity, nor of adding to the national strength : on the contrary, it had this effect, that it held out to the people of Ireland, and to the world, this country as a people devoted to civil commotion, as a nation of fanatics, incompetent to any other purpose but fanaticism, and incapable of acting with energy against the enemy of the British empire. The counter petitions which were presented upon a former occasion, were the sentiments of well-meaning men, who, when they fled from the shadow of the Pope, were precipitated into that gulf, into which so many nations had fallen and continue to fall. It gives me great pleasure to see, that the sense of public danger has recalled men's minds from those narrow principles, which a ridiculous fear of popery had so long encouraged ; those fears are now removed, and there-

fore it is, that you do not find upon the table of this House any petition against the Roman Catholics, (save one presented this day.) Such symptoms augur well for the security of the empire, and I congratulate the public upon it; it is an example of liberality worthy of the wisdom of a great nation, of that wisdom which prompted you to form an alliance with Austria: you restored the Pope; you took Catholics into your pay; you afforded protection to the family of Portugal; you lent aid and assistance to transplant that family to South America; you planted popery there. In so doing, you acted wisely. You have shown the innocence of the Catholic religion; that there is nothing in it dangerous to the state; and you have thereby falsified all those idle notions of the vices, which some persons attributed to that mode of faith. I then ask of you this night, on behalf of your fellow-subjects, that, in the same spirit of wisdom and of liberality, you would extend to one-fifth of your countrymen, those beneficial principles, which you so wisely and liberally extended to your foreign connections. It now remains for you to exert that wisdom, on behalf of your countrymen; to show them that you are not less anxious for them, than you were for your foreign allies; to convince them that an alliance, (a natural one!) with them, is not only your anxious wish, but that it is also your indispensable interest. It is on these grounds, that I shall move for the House to go into a committee on the petition. It prays that the Roman Catholics may have admissibility into the state and legislature in common with the rest of their fellow-subjects. The law has already admitted them to political power, has given them the right of suffrage, and has made them a part of the constituency of the House of Commons, and has rendered them capable of all offices, civil and military, save only certain exceptions, or enumerated offices, amounting to fifty, and seats in either House of Parliament; against these exceptions they pray, and in support of those exceptions it is argued as follows: — That those who profess the Roman Catholic faith cannot be bound by the obligation of an oath; that they are ready, if required, to depose their princes, and do not, with regard to those of another religion, hold themselves bound by the obligation of faith, or pact; that is to say, that those persons so admitted by the law into the constitution, forming a part of your army and navy, are destitute of the principles which hold together the social order, and which form the foundation of government, and that they are thus depraved by their religion. Now, as it is the religion of the greater part of the Christian world, it would follow,

that Christianity was a special interference for a few nations only, but, in general, that it had destroyed the morals of Christians. It follows, that the argument must be false, or that the Christian religion is not divine; and thence it follows, that the objection is reduced to a theological impossibility.

To throw a light on this subject, the charges above-mentioned have been reduced to three propositions, and put to the six faculties in Europe, the best authority on this subject, Paris, Louvain, Alcalá, Douay, Valladolid, and Salamanca; to those queries they answer, 1st, That the Pope has no temporal power in this country whatsoever; 2d, That he cannot absolve from the oath of allegiance; 3d, That the doctrine that no faith should be kept with heretics is no part of the Catholic religion. They answer the questions with great promptitude, and much moral indignation, at the monstrous surmises contained in such questions; and they argue the points with much erudition, and they show that such doctrine did not belong to their religion, and that the council of Constance did not warrant the doctrine of breach of faith with heretics, and that whatever Popes might have practised, or some authors taught, yet such practices and doctrines were not warranted by the Catholic faith, but were condemned and reprobated. This authority goes to establish the present tenets of the Catholic body; and, in addition to this authority, I beg leave to mention the acts of the 13th and 14th of the King, the declaration of 1793, in which they disclaim, among other things, the position that princes excommunicated by the Pope can be deposed; and also the other charge, that no faith is to be kept with heretics; and they further renounce all claims to forfeited property. And, in addition to this, I am to add another declaration contained in the oath of the 33d of this reign, in which, among other things, they abjure the infallibility of the Pope, and swear to preserve the present act of settlement, and uphold the present state of property in Ireland, and are sworn to such an exercise of power as shall not weaken the Protestant church or Protestant state. This oath was proposed by the Protestants, made part of an act of Parliament, and thus, by the Protestants themselves, made the test of their principles.

To this I beg to add their catechism.

I submit, that these instruments are good authority to ascertain, on the disputed points, the tenets of the Catholics in general, and of the Irish Catholics in particular. Thus it follows, that there is no moral incompatibility; but it is further objected, that there is a political incompatibility, because the Popish religion, the doctrine of transubstantiation, the

practice of the mass, and the deification of the Virgin Mary, are irreconcilable to any attachment to a Protestant prince, and are essentially connected with foreign power; that is to say, that they are irreconcilable to the principles of allegiance. As to the first position, I see nothing less than a miracle can establish it; and if men believe in this their own cry, I do not see why they should cavil at the eucharist. As to the second, the objects of foreign attachment have ceased; the things do not exist with which they were connected; the combinations are no more. It is not as in the time of Elizabeth, or in that of the pretender; the Pope is a power no longer; the nations of the continent receive into their service all religions: so it is in Germany, so in France, so in Hungary, — such is the case in America. It was said, on a former Catholic petition, that the nations on the continent excluded them. But the fact is otherwise; the continent has, for the most part, undergone a silent reformation; you are almost the only nation that excludes them. There has taken place that political conformity of which Mr. Paley speaks, when he says, that if Popery, for instance, and Protestantism, were permitted quietly to dwell together, Papists might not become Protestants, for the name is the last thing they would change; but they would become more enlightened and informed; they would, by little, incorporate into their creed many of the tenets of Protestantism, as well as imbibe a portion of its spirit and moderation: that is the case of the continent of Europe. Nor should it be said that this may be the case in despotic countries, where the prince may dismiss his servants, for in this country he can do the same; nor let it be said, that in a despotic country perfect toleration is admissible, but in a free country it is otherwise; nor let it be suggested, that the freedom of the country is an enemy to the claims of the Catholics, and if they should assist to make the King absolute, they may enjoy equality. Further, you will observe how little religion is a part of political combination when you recollect the case of America, how the Protestants and Catholics of America united against you; and with France, how fatally wrong you argued, and how idly men speculated, at that time upon their incompatibility. Turn to the present state of Europe, and see the Protestant and Catholic completely united; and united against whom? Against you. Sweden excepted, you have not one Protestant ally now on the face of the globe. The only part of America that did not fly off from England, is Catholic Canada: of the only European allies that now remain, one is Catholic; the rest are a formidable combination against you; an anti-English confederacy, com-

posed of all religions, and using the talents of all the members of the different churches against you, without any incapacity imposed on their mischievous direction.

If, then, your religion does not secure to you one ally abroad, and if, on the other hand, you suffer it to exclude the full assistance of your fellow-subjects at home, you do not give your country a fair chance for her safety. It follows, that there is no political incompatibility between the two religions, but a political necessity imposed on you, to form a political junction for the common defence notwithstanding the difference. It has been allowed by those who have argued against the Catholics with an appearance of candour, that the test proposed is no more than the declaration of a political opinion; that the religious doctrines contained in it are evidences of political attachment. When that political connection ceases, this test should cease with it; every subject has a right to equal laws; as a general proposition that cannot be denied; he may forfeit that right most certainly; but he does not forfeit that right by religious opinions, except those opinions are connected with a foreign attachment. The state has no right to make a religious test part of a civil qualification, because the state has not an arbitrary power of imposing a test; the test must relate to the function; the state has no right, therefore, to put a mathematical test or proposition to a candidate for a seat or office.

In such a case, the state would make an arbitrary and capricious use of her authority. The state, therefore, has no right to make a religious test part of a civil qualification. In the present case the qualification is professed to be political, and the abjured doctrines are held the evidences of certain political attachments, but there must be good reason to suppose the connection between the religious opinion and the attachment to warrant the continuation of the test. It is not a slight surmise that will be that warrant; otherwise the state becomes arbitrary and tyrannical. Now, in the present case, there does not exist that reason for supposing the political attachment, because the object of it has ceased to exist; the test, then, becomes merely a religious test for a civil condition, which the state cannot devise without exercising an arbitrary power. Nor is it an answer to this, that the Pope is a foreign attachment, for he is no political power; he is the mere interpreter of disputed points of Scripture: he is abjured in all temporal points; therefore, in all mixed points: he is particularly abjured on the subject of the oath of allegiance. The objections attempted to be made, namely, that marriage, the inheritance, and half the temporal power, belong to the Pope,

is monstrous and frivolous, inasmuch as marriage is a civil contract, governed by our laws, and the inheritance arising from it governed by the laws of the land. That it is so, is proved by the acts passed upon the subject. That they have lost that inheritance, and acquiesced in the laws, is clear by the 9 W., 2 Anne, 19 and 28 Geo. II., by which marriage and inheritance are set aside, and the next of kin is only tenant for life. The next point to be considered, is with respect to excommunication: they say that excommunication is a spiritual obligation; and further they say, that excommunication has not been urged with reference to any legal or temporal consequences, but that Catholics have enjoyed all the privileges of life, and in these cases are denied nothing but the sacrament. In some letters which I have seen, annexed to a very able production, in the shape of a pamphlet, the work of a learned gentleman of this House, to whose labours and information his country and ours are equally indebted, to the charges that the Catholics claim a right to tithes, that they deny the right of the Protestant clergy tithes, that they claim legal existence for a Catholic establishment, and that they exercise the right of excommunication in all temporal cases, the most positive and unequivocal denial is given. They deny that they have ever resisted the right of the established church to tithes; or that they have claimed an exclusive establishment for the Catholic church: they do not deny that taxation to the Protestant clergy is founded in justice; and, for the truth of these denials, they appeal to their fellow-subjects, in the most solemn manner, and profess their readiness to swear to the facts.

As to excommunication, that, they say, is confined entirely to the bishops, and they declare they have not claimed nor exercised any of these powers imputed to them by their adversaries. In one of their principal dioceses, that of Dublin, I have the authority of Dr. Troy, the titular archbishop, to say, that in the course of nineteen years, the time in which he has filled that see, only two instances of excommunication have occurred; and that, during the time of his predecessor, Dr. Carpenter (seventeen years), only the same number took place. I appeal to the good sense and judgment of the House, then, whether the power of the Pope, in regard to excommunication, can be looked on as dangerous with regard to appointment of bishops. The Pope merely institutes, but the bishops nominate. But, if that objection be a ground of alarm, it is a decisive reason for going into a committee, in order to come to a settlement on that part of the subject; and here I have a proposition to make, a proposition which the Catholics have authorised me to make — it is this: That in

the future nomination of bishops, His Majesty may interfere and exercise his royal privilege, and that no Catholic bishop shall be appointed without the entire approbation of His Majesty. In France the King used to name; in Canada the King names; it is by no means incompatible with the Catholic religion, that our King should name; and I do not see any great difficulty on this head. Thus the objector cannot refuse to go into the committee with consistency. They say they have no repugnance to the civil capacities of the Catholics, but they object to the nomination of their bishops by a foreign power. Here, then, they may get their wishes on both subjects; if the danger will exist under the further admission of the Catholics, it exists now; if Buonaparte has that ascendancy over the Pope, if the Pope has that ascendancy over the bishops; and they, that is the clergy, over the people; it follows, that the Catholics in the army and navy, and the Catholic freeholders, are affected by a foreign power: so that a very great danger now exists, and a further measure is necessary. Here is that measure. So that they who oppose it, oppose their safety and prefer their danger. They choose three things, — the power of the Pope; the exclusion of the Catholics; and the danger of the state. That the King shall not be substantially the head of the Catholic church, and that the Catholics shall be excluded from the constitution, they in fact object to the doing away of Popery; — they had before omitted to come to a settlement in 1799, and they are answerable for the consequences.

The general objections being removed, it remains to consider the particular.

The first is, — the constitution of this country as settled at the Revolution. Here we called for a fundamental law that renders the exclusion necessary. The law enacting the oath of qualification is not one: it is the reverse. The fact was, in the Revolution, Ireland was forgotten, the state of the country made the application difficult; it remained for the next century to extend that blessing.

They must resort elsewhere. They find one in the act of settlement. I deny it. "The provision — the entail of the Crown — of such and such persons being Protestants." They infer, that this principle should be construed to extend to the King's counsellors and the legislature. I deny the inference. "The provision names the King; therefore it means the Parliament and the King's counsellors." No; it is satisfied with one of the estates, and seems to judge, that having secured that advantage to the Protestant, it might trust the

estate, so secured, with the full prerogative of choosing from among all the subjects. So, if great talents, industry, and virtue should appear among the Catholic body, that the country might have the advantage of their services. The principle of the clause and of the inference are different; the one is preference, the other exclusion. Now, it does not follow because the Protestants should have, exclusively, one of the estates, that the Catholics should have no share in the rest. It is one thing to exclude the Catholics from the crown, and another to exclude part of the Commons from the constitution.

The idea of the provision is, that the King should be of the religion of his people; but, in its perverted application, it is, that the people should be of the religion of the King, or be disqualified.

The inference we hold to be a bad one; but we still object to the idea of making this bad inference a law, a penal law, and a fundamental law. This we hold to be no law, but the violation of a fundamental principle; and we oppose to this, a fundamental principle on behalf of Catholics; namely, a right the Commons have to form a part of the legislature, and which the Catholics have of course, we say, being a part of the Commons, and being subject to no exception, on account of political delinquency, or foreign attachment. If, therefore, you look to the general principles of the constitution, you must agree with me; or if you take the spirit of the particular transaction, (for what was the spirit but the security of civil and religious liberty?) you must either extend the principles of the constitution, or abandon them altogether. You must reject a great portion of the Commons, or admit the Catholics.

On the other alternative, you must, by the union, have extended your empire over those, a great portion of whom have no adequate interest in your constitution. You told us, the union would consolidate the resources and the interests of both islands. I now call upon you to consolidate the strength and energies of both nations by fulfilling the contract. Unless you carry into effect that measure, then do I contend that it was an act of ambition *quoad* the Parliament of Ireland, and an act of bigotry *quoad* the people.

It is said, "We will guard the church, and guard the state." Long, I hope, may you guard the church and the state. But you cannot guard the church nor the state, nor the land you live in, without the assistance of all your fellow-subjects; and, as you are to defend the act of settlement by Catholics, the best way to secure that defence is to give them the

benefit of it. Here, however, they oppose a species of political baptism imagined by themselves, and say, their's is a Protestant constitution. They tell you, that the constitution is formed on Protestant principles; but the constitution was formed by your Catholic ancestors. Magna Charta, the laws of the Edwards, are the work of Catholics. The petition of right, and the declaration of right, events which took place when the Catholics sat in Parliament, are declaratory of that constitution.

The claim does not go to establish a Catholic cabinet, or a Catholic Parliament, nor to transfer the state, but it does go to establish a certain proportion, and a very small proportion, in a very considerable part of the King's subjects, of the privileges of the constitution, and powers of state; and in so doing, they are much more constitutional, and by far more reasonable, than those who desire that the whole should be confined to a religious and victorious sect, to the exclusion of one-fifth of the people; and, in justification of which, it is added, that the persons so excluded are not good subjects, because they do not acknowledge the King to be the head of their church. Failing in that argument, which would exclude the Presbyterians equally, they say it would be a strange anomaly, a King with a Catholic counsellor. What a strange anomaly, for instance, an assembly where all were not of the same religion? What an injury to Henry the Fourth, to have had in his cabinet Sully; or Louis the Fourteenth to have had in his counsels Turenne; and yet both these great ministers were of a religion different from the established religion of the country. If, then, your enemies have the range of all the abilities of their subjects in a much greater extent of country and men, do you think it a strange anomaly, that you should not conscientiously put yourselves under the disadvantage of rejecting all counsellors, however able, except those of His Majesty's religion? It is said, that their claims go to establish a Catholic cabinet, and a Catholic Parliament, and a transfer of the power of the state: they mis-state their claim, as they mis-stated the constitution.

They say the church is in danger, inasmuch as that if the Catholics were admitted into the state they would overturn the church; and, on that surmise, it is urged, you should continue their civil disabilities. They make a general attack upon the character of the Catholics, and say, they are as bigotted as ever, and that they acknowledge the Pope, in spirituals entirely, in temporals in part; having voted that these very Catholics should be a constituent part of the Commons.

Thus are they answered by their own votes, if any answer

was necessary. Here again they recur to that error, which supposes that the Catholics, that the majority of Christians are so restless and dangerous, that nothing can soften ; no benefit can conciliate. Let them advance the instances. How is it in modern Europe ? I object to that idea of justice, which makes your own supposition a crime in a third person, and proceeds to inflict a penalty ; but I have a greater objection to the other argument, which supposes that if the Catholics got into Parliament, they would use their power to stop the provisions of the Protestant clergy ; for by this the money they pay our church is made the foundation of their exclusion : this is to found the church on injustice. That the Catholics should contribute to our church, I acknowledge ; the church could not stand otherwise ; but that they should be excluded therefore, I deny. You pay us without compensation, and the return is to impose civil incapacity, lest you should question your own contribution. They get half a million to administer to about 800,000, and are paid this by the Catholics, and then exclude them. They see their God, not in his great work, the world, nor in his work the Bible ; they see him as a special interference, coming only to themselves ; they see him a narrow and a partial Deity ! It seems omnipotence would have fallen apart ; his work would fail, according to them, if they did not support his religion at the expence of their morals, and bolster up Almighty power, by accommodating the Deity with our ingratitude and injustice !

In their plan for the church, they forget the attribute of their Maker, and in their plan for the state, they forget a fifth of the people ; and, on these two omissions, they propose to establish the security of church and state. They do not see that both are to be supported, partly by their own excellence, and also by the interests, and the passions of man, (not by human depravity). What so strong an interest in the church, as that it is compatible with civil liberty ? On those rocks you may build your church and your state ; and on those immortal foundations they will brave every storm, and outlast the length of ages.

There are only two imaginable ways by which the church can be destroyed, by law and by force ; by law, the Catholics cannot, unless they become the majority ; by force, they will not be more enabled by the admission, and will at the same time be freed from every motive of interest. But they argue otherwise, that they are now well disposed ; but if they get additional motives, then, provoked by additional benefit, stung by the removal of disabilities, they will then revolt, on this

solid observation, they found eternal incapacity, then they pronounce *esto perpetua*. This is not argument, but folly.

The next objection is that which arises from the peculiar situation of Ireland, and this is founded on the supposed disposition of the people, and the state of her property; they tell you the Irish hate the English and the Protestants; they said before, that if the Catholics be true to their religion, they cannot be attached to a Protestant king; they tell us that they abhor you by nativity, and should rebel on principle. The Pope is a better interpreter; the Catholic faculties, I am sure, are. They say this is a time of war; invasion perhaps hanging over the island. They say this, and in saying this, they tend to promote the curse which they lament, and to make the two nations mutually hate each other; they scold both of them into hostility, and one out of allegiance; they are refuted in this by analyzing the objection which cannot be founded in the soil, for otherwise the Irish Protestant would hate you; nor in the Catholic religion, for otherwise the English Catholic would hate you. It cannot arise from either, but, according to them, it does from both; thus does the mind, (the heated brain rather,) generate monstrous imaginations. In religious matters, it seems, this is the privilege of the casuist; here the mind is set adrift from this world, and assuming a familiarity with the other, brings back conclusions pernicious to both, and belonging to neither. But from this argument a conclusion may be drawn; not that the people of Ireland hate those of England, but that the penal code has created an animosity, not entirely subsided. The code being the cause, the removal of that code is the removal of the cause. Do not think you reconcile it to your conscience, if you say, they are a perverse generation, their Maker is in fault, the government is excellent. No, not a fallible creator, but a very fallible system of legislature and administration! See whether that code was an adequate cause; it was detailed by the late Lord Avonmore. I heard him. His speech was the whole of the subject, and a concatenated, and an inspired argument not to be resisted. It was the march of an elephant; it was the wave of the Atlantic; a column of water 3000 miles deep. He began with the Catholic at his birth—he followed him to his grave; he showed that in every period he was harassed by the law: the law stood at his cradle—it stood at his bridal bed—and it stood at his coffin. The justice of his fellow-subjects repealed the greater part of that code: it remains for your justice to repeal the remainder; and do not let us look for vain and irremovable causes, when the cause is obvious and correctable. The other argument peculiar to Ireland; is the state of

property; that is founded on a fable, namely, that there is a map retained with the property of the old Catholic owners delineated; and further, that there is a conditional limitation, of the same in marriage settlements; this map, which is to be found in the auditor's office, was drawn up by Sir William Petty, for the use of the then government; a copy of which had been taken and brought to France; a copy of that copy had been obtained by a person in the service of government, and is retained as matter of history: but the nature of that map was well explained in this House, on the last debate on this question; and the limitation in the marriage settlements was not proved, nor the name of any lawyer who drew such produced; but, on the contrary, lawyers most employed in conveyancing had been asked positively, and no such limitation had been framed regarding the map. Further, the state of property in Ireland, is a complete answer to the apprehension; the Catholic purchasers are numerous; the ancient proprietors few. It has been said, that the Catholics have not in landed property, above 50,000*l.* a-year; I will state that the rental of one noble earl alone is 30,000*l.* a-year; their proportion is from 500,000*l.* to a million, in fee simple; add to this, that the tenantry of Ireland are Catholics in a great proportion, and hold under the title of Protestant landlords, so that the majority are interested in the defence of the present state of property. Again it is asked, how should they upset the present property of Ireland if admitted? By force? No. The law which admits them into the constitution, does not increase their physical force. The proprietors of Ireland are not, however, at their ease on the subject of property; but their apprehension arises from the continuation of civil disabilities, not the removal; they fear the invasion of their country, and they fear the divisions of the people; they fear the protection these laws afford; they deprecate the terrible protection in the defence you offer them in civil incapacities, and political monopoly.

The counties of Clare and Galway have had meetings convened by their sheriffs, at which they passed resolutions, expressing their ardent wishes for an admission of their Catholic brethren to the benefits of the constitution. In the counties of Tipperary, Kilkenny, Roscommon, Waterford, and Meath, and in the town of Newry, resolutions have been passed, not formally by the Protestant gentry and inhabitants, but by the great bulk of the landed proprietors. These recommendations were not owing to the influence of liberality and confidence merely; not to the absence of all suspicion of an intention to invade the landed property at a more convenient

season; but to the stronger and more immediate feeling of the danger which a divided country would have to experience, in case of invasion, from an active and powerful enemy. They are the persons who are to share and lose their monopoly; and, to diminish their returns to Parliament and appointment to offices, they desire it. This is the way to repeal the act on its own principle, and to make it, not a triumph over a party, but a victory over prejudice. They propose to give up their monopoly, and in so doing, they are advancing your cause: they propose the best method to secure their country, and to strengthen it; they have canvassed for the British empire; it remains for you to decide what answer will you give them. But it is said, that the privileges desired are of little moment, namely, a share in the state and the legislature; and they are told this, by those who make great sacrifices of industry and property to come into both. Let me ask them, is an exclusion from the two Houses of Parliament nothing? from the shrievalty nothing? from the privy-council nothing? from the offices of state nothing? from the Bank nothing? Is it nothing to be censured, schooled, and suspected? When they hold this language, they depreciate the value of their own constitution; they depreciate it in their own estimation, and are less free-men by urging the doctrine of inferiority and degradation; thus men are punished by keeping part of their fellow-subjects out of the privileges of the constitution. So it was when you preached the doctrine of surrender to America; it lowered the public spirit, and deprived men of the high language, by which they should animate their country. But look a little farther: What meant the petition of 1805? what the present petition? These petitions, very numerous signed, say otherwise; this testimony says otherwise, and shows how the Catholic feels the exclusion. Rely on it, you deceive yourself, if you think that any people will be satisfied with inferiority. But supposing this argument to have force, what is that force? that you have in one-fifth of your population destroyed the spirit of liberty; that your government conquered the spirit of your constitution.

They add to this, some of them, that the people are too ignorant to exercise,—what? The upper orders of the Irish too ignorant to fulfil the duties of members of Parliament, or of principal servants of the state. But what is the force of this argument?—that you have left them ignorant, and made them contemptible.

It has been urged, that the oath of the king is incompatible with the removal of the disabilities complained of. Let us examine how far it is so. It is a fit subject of parliamentary

enquiry, to ascertain whether or not the representation is just. We must not allow the enemies of the Catholics to abuse, in the first place, the religion of God; and, in the next place, the piety of His Majesty, without contradiction or restraint. The kings of England swore to maintain the liberties of their people. They are, therefore, subordinate to the law; they cannot invade the liberties or religion of any man, without committing a breach of their oath. They are not sworn to maintain the penal laws, nor to restrict the legislature from making new provisions in favour of the church. If the King, according to the provisions made respecting the church, is sworn to maintain them entire and without change; why, then, the church is placed beyond the power of human interference, and is also beyond the executive and legislative power. The penal laws are included in those provisions; and what is the nature of them? One of them goes to rob a Catholic of his horse; another prevents him from educating his sons at home, and from sending them abroad for education; another goes to deprive a Catholic father of his property. If the repeal of laws of this kind are a breach of the coronation oath, why, then, every sovereign, since the time of Henry the Eighth, is perjured. William the Third, when he signed the articles of Limerick, was perjured; and Queen Anne, when she passed the act of Union, was perjured. George the First, and George the Second, were perjured. Our present gracious sovereign, when he passed the Quebec act, was persuaded to depart from his coronation oath: so, in 1782, when the act of Catholic inheritance was passed; again, in 1793, when the Catholics were allowed the exercise of their elective franchises. In short, the coronation oath, from which so many departures have occurred, is nothing more than the oath of succession. This oath cannot be interpreted in a manner laid down by the enemies of the Catholics without making the rights of the church the wrongs of the people, by incapacitating one-fifth of His Majesty's subjects from contributing their best services for the benefit of the state. The church is, in consequence, made a confederacy against the state, and the King a party to it. There may be cases, in which the coronation oath might interfere with the penal statutes; but then it would be to repeal them. The king is sworn to protect the Protestant religion, as by law established. But I will suppose a case, in which it may be necessary to enlist Catholics for the army, in order to the better defence of the empire: will it be said, that the royal oath is to stand in the way at the time when the concurrence of His Majesty, in requiring the assistance of all his subjects, to support the Protestant establishment against

all enemies, is so imperiously necessary? I should hardly think such a position would be advanced.

I have now shown that there is, in the two religions, no moral incompatibility; that there is no political incompatibility; that, in the Revolution, and in the act of settlement, there is no objection, but every reason in favour of the Catholics; for the civil capacities, whether you look to the original constitution, or to the constitution as declared and improved by the Revolution, or to the duration of the constitution, and its danger from foreign and domestic enemies. The resolutions show you the sentiments of a great portion of the Protestants. There is no reason against, but the most imperious and solid conclusions in favour of the petition; the arguments against it would depreciate the value of the constitution, and of course go against the spirit by which it is to be defended; the other arguments, which would defend the pay of the church by excluding the Catholics, go against the principles of justice and retribution, and are not the support of your church, but would be a blemish and a reflection on it; and the cast and complexion of the objections is of a nature not only weak, but criminal and mischievous.

Mr. Fox brought on this question in 1805. I have followed that light on this subject: he was a great advocate, as he was also a great authority. In 1778, I remember his opinion privately given: it was decidedly against the penal code. In that opinion he continued to the close of his life; he recommended a total repeal of these laws, and when the Roman Catholic petition was presented by him to the legislature, he gave his last testimony against their cruelty, their impolicy, and their ingratitude. Ireland will ever retain a grateful sense of all the benefits she had received from that great man. She now feels the loss she has sustained, and weeps in sorrow over his tomb. In estimating his qualities, we dwell with delight on his integrity, his rectitude of mind, his commanding and convincing eloquence, his amiable disposition, his benevolent weakness, and the negligent grandeur of his capacity; and yet he had not the melancholy addition to the case, that Russia has become your enemy, that Prussia is beaten down, and that Austria has left you, and that our divisions must be lost in our danger. Against this danger see the security offered by some who are hostile to the claim of the Catholics; an eternal exclusion from the state, an exclusion from the legislature of a fifth of the community that compose a part of the Commons, and a part of your army. This is their plan of safety! Is any thing more frantic? more extravagant, more foolish than this? Yes; their idea of the

danger! A few Catholics in Parliament, and a few Catholics in the higher departments of the state; these are to become the majority of the Irish representatives, and so on; the ascendant part of the English and Scotch representation; and, finally, that power, which is to overturn the whole. These are the fears, and these the arguments of some wise men — of some good men — of some liberal men; but wise, and good, and liberal men, educated in early prejudices: thus it happens, that on a religious subject, men shall not only have a degree of interest, but even shall assume a privilege to commit depredations, not seldom upon reason, and sometimes upon morals. To meet this danger, to give your country a better defence, I should suggest the more obvious means, that of national concord, as soon as possible.

I would first recommend it to the legislature: if the legislature did not establish it in the laws, I recommend, that the good sense of both countries should supply their defect; above all, I should appeal to the gentlemen of Ireland to associate with the Catholics as much as possible. If they do not, if they form a distinct society, they will be a distinct people, and will reap the wages of pride and infirmity.

When a country divides, and hates one portion of itself more than it hates the enemy, that country opens a passage to a foreign power, and betrays the infallible symptom of a falling nation, and its fate is then a judgment on its malignity and its folly.

The landed interest will have the power of communicating through their tenantry the spirit of tolerance, and with it the spirit of concord, and the spirit of defence; for they must go together. Their example will do much: their presence will do more. They will recollect that the Catholic feels the personal, at least as much as the political superiority: the latter is at his door. He does not see the exclusion from Parliament, but he does see and feel the assumed superiority of his neighbours (which arises not a little from that exclusion), the saucy little tyrant that wounds him by a galling dominion, his toasts and monopolizing merriment hurting him in those very points in which he is most sensible and irritable.

I have applied to one description; and here let me apply to that body of the community distinguished by the appellation of Orangemen. Many of them are heated by controversy; but many of them are misunderstood. And many will soften and see the folly of the dispute, if the point was made rather a subject of discussion than a point of spirit.

They will perceive the certainty, that though there may be an exclusive religion, there should be no affectation of an ex-

clusive allegiance. In vain their loyalty, if they procure to the throne a host of enemies. No insinuation, as thus: If you believe your own religion, you cannot be good subjects; or you cannot be trusted; or we will not corps with you; no pointed paragraphs, no logical victories! They will see the danger with which we are environed, and the punishment; and despise the little puerile jealousy entertained against their fellow-subjects, which can only end in the victory of the French, and the subjugation of the constitution. They should consider, that Ireland should not be a party question; that nations do not always act from their interest, but more generally from their feelings; and that any measures that sharpen these are high crimes. They should consider themselves as trustees for its preservation; and not sectarists to quicken and disgrace the downfall of their country. And, finally, I should appeal to the government, who may do some great good or great mischief. They may act decisively on the magistracy, so as to preclude partiality in the administration of justice; in the appointment of justices of the peace; in the regulation of the yeomanry; and in the disposal of favours and distinctions in the state. They may, and ought, and it is indispensable, that they should establish this principle in the administration of that country, that the Catholics should never feel the victory of a party; this should be a fundamental maxim of the Irish government.

Let there be no bigotry on one side, and there will be no French feeling on the other. It is a necessary consequence, and the natural reaction of your own sentiment. Philanthropy generates on philanthropy, and confidence propagates on confidence.

And do not believe those idle tales, for instance, that the Catholics in some part of Ireland will not suffer a Protestant to live among them; or that Catholic servants will not suffer a Protestant in the same family; or that, in Dublin, the poorer sort cannot get themselves apprenticed as servants.

To this I beg to advance an absolute denial. And I offer, if a committee should be appointed, to disprove it most fully and satisfactorily. The Catholics desire, that they may not be concluded against, by a suggestion which would not be listened to, and they appeal to the conscious persuasion of their fellow-countrymen; they appeal to Maida, and they appeal to Egypt, that witnessed their battles, which could never have been fought if such tales had been true. I do not agree with those, who think the lower classes of the Irish savage or lazy. I

see them labouring their mountains, cultivating their hills, and toiling in every part of Ireland. I do not agree with those who think the landlords are oppressive; if that were so, the middle men could not exist; the middle man is a proof, that the head landlord does not get the highest price for his land. These suggestions arise from the ignorance of the Irish, and tend to make the upper orders despise the lower, and to mislead and deceive both. But, in order to judge of the country, look at her work; they have in twenty-five years added a third to their trade, worked out by the sweat of their brow; produced by the labour, virtue, and energy of the people; they increased five-fold their revenue, and have added near a third to their population; they procured a free trade, and a free constitution.

These are the savage perfections of the people of Ireland. The Catholics had their share in procuring these blessings of freedom, and, to a certain degree, a share in the enjoyment of their benefits. I will not vulgarise their petition by the cant of exaggeration. The Catholic has the benefit of trial by jury; he has admissibility to all offices, civil and military, that are not offices of state, and sheriffs; he is a constituent part of the Commons, and he can go to a county meeting, discuss public matters, instruct, arraign, and rebuke his representatives. What these are I cannot estimate; but I say they are defending you against a foreign enemy. The Catholic would not surrender these to the King of England; he will not surrender them to the powers of France. Further, in these things, and particularly in the elective franchise, is the seminal principle of the remainder: that remainder, the object of his petition, will come — it will come in the natural progress of moral causes. I mentioned the progress for the last 25 years; above a third to your trade, and near a third to your population: so that Ireland now stands by you a country with 5,000,000 of people, exporting near 9,000,000 of produce, taking from you near 7,000,000, supplying you with 700,000*l.* worth of corn, and furnishing your navy and army with a great proportion of their strength. Why do I mention this? that Ireland may see what a country she has to defend, and that you may see what a country you have to adopt; and that both may see they have nothing but one another; and that you may perceive the folly as well as wickedness of attempting to govern such a country by division, or corruption, or bigotry, or any system but that of equality. The more to illustrate the necessity of this, turn to the Continent, and you see all her ports and harbours hostile. Let me suppose there should hereafter issue from them different

navies to invade these islands, would you then send dispatches to Ireland to guard the corporation against the Catholic, to preserve the Parliament? or would you not desire to embody, and incorporate, and inspire? But then it might be too late. Now, therefore, when you are mistress of the measure, and have time to secure its effect, now will you not do away in act or in spirit these distinctions? Will you not repeal those death-doing divisions? Coalesce in the spirit of repeal and confidence, so that you may in fact, or by anticipation, prepare — for what? for the final battle, which, sooner or later, must be fought, and which must determine the rivalry of 500 years.

How would you answer to your ancestors, that you had lost the hereditary laurel of your country, because you were afraid of the Pope, or of the influence of the eucharist, of the Council of Lateran, or the Council of Constance?

The Catholics do not approach this House with servile humility; they come to support your empire; they come, as freemen, to share your privileges; and now, when Austria has turned against you, when Russia is no longer your friend, when Prussia has ceased to exist as a power, they come to partake in your danger, and to partake in your constitution.

This is their prayer. On these grounds I move their petition; I move to refer it to a committee of the whole House; I move it on the ground of national justice, and I accompany it with two wishes; first, that you may long preserve your liberties; next, that you may never survive them.

After Mr. Grattan had sat down, some minutes elapsed before any member rose. A cry of "question! question!" then ensued, when the knight of Kerry (Mr. Maurice Fitzgerald) rose; the cry still continued, and strangers were ordered to withdraw from the gallery. At length, being re-admitted, Mr. Canning was found speaking, and loud cries of "hear! order! chair!" but the Speaker declared, that, until the numbers, which were the result of any division, had been announced from the chair, the question was open to debate. Mr. Canning then proceeded; he complimented Mr. Grattan on the eloquent and conciliatory manner in which he had introduced the subject; he agreed, that it was most desirable to put an end to civil dissensions, and establish harmony and concord; but, he said, this question would be made a party question, not by the mover, but by others; and thinking that less irritation was likely to be produced from sending back the petition than from referring it to a committee, by means of a violent and contentious majority, he must vote against the motion. It was likewise opposed by Lord Castlereagh, Mr. Wilberforce, the Chancellor of the Exchequer (Mr. Percival), Mr. Yorke, and Lord Pollington. They argued that the season was improper; and that the ques-

tion was brought forward to perplex ministers, and for party purposes. Mr. Pitt had left power because he could not carry the question, but when the opposition were in office, they contented themselves by small and unimportant concessions to the Catholics, and avoided the main question: that it was inexpedient to raise the hopes of the Catholics when there was not a chance of being able to gratify them; that in Scotland and England the popular feeling was against the question, and new concessions would only lead to new demands. The argument of Mr. Pitt at the period of the Union was, either that the question could be yielded with greater safety, or withheld with less danger. The proposed measure went to make a fundamental change in the political situation of the country; Parliament had gone too far in concession, and it was their duty now to make a stand.

The motion was supported by Mr. Ponsonby, Mr. Windham, Lord H. Petty, Lord Milton, Sir John Cox Hipplesly, Mr. Richard Martin, Colonel Montague Matthew, the knight of Kerry (Mr. Maurice Fitzgerald), Mr. Whitbread, Mr. William Elliot, and Mr. C. Hutchinson. They urged the injustice and danger of refusing the request of so many millions of His Majesty's subjects; that although no express pledge was admitted to have been given at the Union, there had been a correspondence on the subject; one letter set forth the sentiments of Lord Cornwallis; another those of Lord Castlereagh when he was Secretary to the Lord-lieutenant. These were shown to the Catholics, and stated the determination of several individuals, Mr. Pitt, Lord Melville, and Lord Camden, who advised the Catholics to remain quiet, because those persons had entered into a pledge never to take office, except on condition of being allowed to grant the required concession. It was understood that this declaration was made in consequence of an engagement, that if the Catholics agreed to an Union their claims would be listened to. The cry raised against the Catholics, said Mr. Whitbread, had been raised by the government, and for the mischief created by this cry we have the authority of a learned friend of mine, who is no longer a member of this House, but who lately was an ornament to it, and whose brilliant talents and splendid eloquence at once convinced and delighted us. I speak of Mr. Plunkett, whose speech upon that subject in this House will never be forgotten; he has told us the mischiefs produced by that restless spirit, the cry of "No Popery!" The government have now set up the cry of church in danger; this is the seat on which the right honourable gentleman (Mr. Percival) sits; this is the pedestal on which he stands when he harangues us, and endeavours to enflame the vulgar mind with the cry of "No Popery!" this is the platform on which he has erected himself; when that mischievous yell was echoed in those parts of the country which are inhabited by his constituents and his connections, and when that vicious cry is raised, shall we not endeavour to answer and allay it? To a question put by Mr. Yorke, relating to the particular mode of appointing the Catholic bishops, Mr. Ponsonby said, the statement he made was on the authority of Dr. Milner, a Catholic

bishop, in England, viz. that the individual to be nominated to any vacant bishopric should be submitted for the King's approbation, and if the approbation was refused, another should be submitted, and so on in succession until His Majesty's approbation was obtained. Mr. Elliot said, that the restoration of Mr. Giffard to office in Ireland, the refusal of the grant to the College of Maynooth, and the appointment of a learned gentleman (Dr. Duigenan) to the privy council, were bad symptoms of a system of conciliation towards Ireland. General Matthew said, that Ireland had little to expect from the liberality or justice of Great Britain. (Here Lord Castlereagh was perceived to smile): I am sorry, continued the gallant general, to see the noble lord laugh; he has no cause for his mirth; for there is not an Irish county, city, or borough, that would not reject him. Mr. Richard Martin said, that at the Union the Catholics had conceived there had been a pledge given of their emancipation; if that pledge was broken they had a right to claim a restoration of their Parliament. When the cry was union or rebellion, he had chosen a union; but he had since learned, that it is very possible to have a rebellion after a union. Mr. Whitbread moved the question of adjournment. The Speaker put the question, which was negatived by acclamation. Colonel Hutchinson also moved the question of adjournment. At half-past five the House divided: Ayes 118; Noes 298; Majority against the adjournment 180.

The question upon Mr. Grattan's original motion was then put: for going into a committee 128, against it 281; Majority against the petition 153.

Tellers for the Ayes, Lord Temple and the Knight of Kerry.
Noes, Mr. Leslie Foster and Mr. Long.

ORDERS IN COUNCIL.

MR. WHITBREAD MOVES AN ADDRESS TO HIS MAJESTY FOR CONCILIATORY NEGOTIATIONS WITH AMERICA.

March 6. 1809.

ON this day Mr. Whitbread brought forward his motion respecting America. He contended that America had not departed from the character of a neutral, that she had remonstrated against the Berlin and Milan decrees issued by Buonaparte in 1806 and 1807. When the former decree was put in force against her, in the case of the capture of the Horizon vessel, her ambassador at Paris, (General Armstrong), had made strong representations on the subject to the French minister (Mr. Champagny.) Mr. Madison (the President) had declared in his letter to Mr. Pinkney, the minister at the British court, "That the orders in council were a violation of the rights of neutrals, and an attack on the independence of the United States." The embargo which America had laid on, affected France as much as England, and the offer

she made to Great Britain was, that she would repeal the embargo, provided England repealed her orders in council. He said that the Berlin decree was not a justification of those orders, and that they operated against the neutral (America), instead of operating against the belligerent (France). He ridiculed the prediction of the Chancellor of the Exchequer (Mr. Percival), that the subjects of Buonaparte would go into rebellion, because they were deprived of tea or coffee, or that the bill which the Chancellor of the Exchequer had introduced to deprive the continent of bark, was an effectual means of opposing the armies of France. In consequence of these orders, there had been a diminution of the imports and exports of Great Britain, to the amount of eleven millions annually. Numbers of manufacturers in England were thrown out of employment, and the linen manufacture of Ireland must suffer considerably by the loss of the American market, and from the want of flax-seed. He complained of the insult offered to America, in the illegal and unjust attack made by the Leopard upon the Chesapeake, by order of Admiral Berkelev. He censured the style of Mr. Canning's dispatches to the American minister, and his assertion that the blockade of Great Britain by France would be raised in consequence of these orders, and that "the system," as he said, "was broken up into harmless and contemptible fragments." He concluded by moving.—

"That an humble address be presented to His Majesty, humbly to represent to His Majesty that in consequence of certain decrees made by His Majesty's enemies, contrary to the usages of war, and to the rights of neutral nations, and also in consequence of the alleged acquiescence of neutral nations in the said decrees, His Majesty was advised to issue certain orders in council respecting the trade of neutrals, to and from the ports and countries of His Majesty's enemies; and that the said orders were further enforced by certain acts passed in the last session of Parliament. But that both in the said orders, and in the acts passed thereon, a power was reserved to His Majesty of annulling the same, whenever such revocation should appear expedient. That the Congress of the United States of America, alarmed at the dangers to which neutral commerce was exposed by the practical operation of the said decrees, and by the system then known to be in the contemplation of His Majesty's government, and actually carried into effect by the said orders, passed laws for laying an immediate embargo on all American ships and exports; and that, by the operation of such laws, all trade of export from the said states into this kingdom or its dependencies has been prohibited, and the commercial intercourse of His Majesty's subjects with the said states has been in other respects essentially impeded. That in the month of August last, the minister of the United States, resident at this court, made to His Majesty's government an authorized and explicit offer of re-establishing the said intercourse; proposing, that if His Majesty's orders in council should be repealed, as far as regarded the United States, the embargo imposed in the said states should be removed, as far as regarded His Majesty's dominions; and adding, that if His Majesty's enemies should not rescind their

decrees, the said embargo should be continued as with respect to them. That this offer on the part of the United States appears to us just in principle, and in its tendency highly advantageous to the best interests of this country; just, inasmuch as it removed all pretence of the acquiescence of the United States in the French decrees; which acquiescence was the only ground on which any right could accrue to interrupt the innocent commerce of a neutral country; and advantageous to Great Britain, inasmuch as, though it should not have produced the repeal of the French decrees, (the avowed purpose of His Majesty's orders), it would have secured to this country the exclusive commerce of America, and her alliance against a power which would thus have been the common enemy of both. That we believe and hope that it is still open to His Majesty's government to renew, on the basis of this proposal, the commercial intercourse between this country and the United States; every interruption of which we consider as manifestly injurious to the interest of both countries, and calculated to assist the designs of our enemies, and to weaken our own resources. That we, therefore, most humbly pray His Majesty to adopt, without delay, such measures as may best tend to the immediate re-establishment of the commercial intercourse between His Majesty's dominions and the United States of America; and to bring, by temperate and conciliatory negotiation, all other points to a just and amicable conclusion, assuring His Majesty of our firm and invariable support, in maintaining against every unjust aggression, and every novel claim, the ancient and essential maritime rights of His Majesty's crown."

The motion was opposed by Mr. Stephen, who denied that it was in consequence of the orders in council that we lost the trade with America. It was the embargo, and non-importation act that were the cause. He stated that there was a French party in America, and that she had not acted the part of strict neutrality.

The address was supported by Mr. Alexander Baring, Lord Henry Petty, and

Mr. GRATTAN, who said: To attribute importance to almost every event, is the ordinary phraseology of almost every member. The question on which I have now the honour of addressing the House, and which has been so luminously discussed by my honourable friend, is, perhaps, unparalleled in importance, if we except that fatal question by which you lost America. Greatly do I deplore the manifest appearance of the same asperity between the countries which so strongly marked a contest which it is the wish of every friend to humanity should for ever be forgotten. The infatuated counsels of the ministers of that day forced America into the arms of France; and by French connection you lost America. It is not possible to believe that the errors of those men who lost America are not apparent, or that they will not serve as warnings, by which you will be enabled to avoid that destruc-

tion which they encountered. The same temper that then broke the connection between England and her colonies seems to be revived again, and to be now studiously busy in effecting the connection between America and France; and yet the success that crowned our policy at that time, should make us rather industrious to avoid, than ambitious of retracing its disasters. I well remember the arguments of that eventful period, and am struck with the similitude of many of the sentiments and opinions of the present day. The voice of an oppressed people was raised in America; of that voice administration was blindly and obstinately regardless; yet there were in this country, in this House, men whose nature revolted at oppression, who argued, deprecated, predicted, and implored; but the language of opposition was said to be inflammatory; they had provided the Americans with arguments; the principles which had gone forth from this House were said to have excited and inflamed the resistance, or rebellion, as it was then termed, of the Americans. Opposition had started principles which America anxiously took up; and but for their opinions and lessons, the people of America had been well disposed, dutiful, and submissive to the wishes of government. Every account of continued and increasing resistance was imputed to opposition. The Americans took their instinct of resistance, not from their charters, not from the spirit which animated your forefathers when they laid the foundation of your constitution, not from their condition as the colonists of a free people, not from their right of birth as the descendants of a British people, but from a faction in this House! A faction in this House was the cause of all the evils! This language is, under some circumstances, extremely natural, and not less contemptible. Even now, the obstinacy, as it is unjustly termed, of America, is, by some, imputed to language held in this House; but we are not quietly to yield up our privilege of free discussion; we are not to be silent that the Americans may be kept ignorant of their rights (were there even such a possibility). On the least restraint of the perfect freedom of speech in this House, all debate would, from that moment, vanish; therefore, notwithstanding the imputations which had been cast on those who deprecated coercion, I will state what I conceive to be the just rights of America.

The greatest crime of which any man in this empire can be guilty, is to excite the people of America to an indisposition towards England; for the fate of America depends on that of England, as does that of England reciprocally on that of America; the interest of the one is the interest of the other; and, for happiness, the two countries are mutually dependant on each other. Indeed, so the right honour-

able secretary, (Mr. Canning,) in his letter to Mr. Pinkney, does, in effect, admit; and had that letter been, in other respects, as consistent with my views of the subject, most happy should I have been. The honourable gentleman has said, that he dreads war with America; and although, in the general tenor of his speech, I cannot conform to his ideas, in this dread he is certainly right; for war between England and America is the end of liberty. But if war between England and America be that formidable thing, let me hope, that in construing the dispatches and written transactions between England and America, the most honest construction will be put on that offer which has for its object the peace of both nations. It is attempted to be shown that America has acquiesced in the orders and decrees of France. Is it not plain to every man that America has resisted not only the Berlin decree, but every decree and order of France? When the orders of Buonaparte were announced, did not the American ambassador, General Armstrong, immediately remonstrate against so gross a violation of justice and the rights of neutrality? Did not that gentleman most spiritedly reiterate his remonstrance? Did he not receive for answer, that the Berlin decree did not affect the neutral trade; that it was not meant to affect the ancient connection between the United States and France? That answer, that the trade of America was not affected by that decree, has acquitted America of the charge of compliance, because, until September, that decree was not attempted to be executed against America. The American ambassador, immediately on receiving the account of the capture of the *Horizon*, again most forcibly remonstrated, and on the 22d of December, the embargo was laid on generally; thus is America completely acquitted of acquiescence in the Berlin decree. But the American embargo is said to have been laid on generally before an official communication could have been made to their government of your Orders in Council; the fact is, that the embargo was laid on in consequence of substantial, though not official information; which is the very obvious reason of the omission in the President's message of any notice of the British Orders in Council. There cannot be the smallest doubt that these Orders in Council were a considerable cause of forming that embargo, which is now continued solely by your perseverance in your Orders in Council. "Take off your Orders in Council, and we will take off the embargo." Did the correspondence with the American ministers go off on the principle, that if they would give more decisive communications, we were ready to adopt those measures? Is there any doubt of the sincerity of Ame-

rica? Will the right honourable secretary, or the honourable gentleman, say, that America, in offering to take off her embargo on our rescinding our Orders in Council, did not mean to do so? What is then the existing cause of the embargo? Can any other be assigned but the Orders in Council, when you yourselves refuse to do that which, if done, would remove it?

Then, how does the country stand in point of right? Do you join with an unoffending neutral, and visit France with the consequences of her own insolence and injustice? No; but you join yourselves to France against that neutral. You have *no right* to controul neutral trade, except the neutral does not resist. If the neutral informs you that she will act in resistance to the decrees of Buonaparte, and will carry into execution even your own orders, and resist the *insolence* of France, you at once reduce your orders in council to a mere gross, outrageous act of oppression against an unoffending neutral; against the law of nations, and of the regulations and opinions of all civilized society. No nation can have a right, in consequence of the outrageous caprice of another nation, to prohibit neutral trade, with respect to neutrals who will not acquiesce in such order. The neutral, in this instance, so far from joining with the belligerent in carrying into execution his unjustifiable edicts, steps in between you. The principle of retaliation is a bad principle, and not founded in reason, justice, or the law of nations. According to this monstrous doctrine, were France to declare the lives or liberties of neutrals liable to forfeiture, by the principle of retaliation, you must tread in her footsteps of blood and outrage! making the measure of French wrong the rule of British right. It goes to the root of the law of nations; it goes to build up a system of wrong, retaliating wrong, and injustice combating injustice, which can only end in an undefined suspension of the dominion of right, — taking as it were the laws of nations theoretically from God, but at the same time learning their practical application from the enemy. But what right have you to inflict that violation of humanity; to make by retaliation the measure of your law of nations dependent on the caprice of another? By retaliation you do but participate in the injustice. We, it seems, are to be bound by the laws of God, only so long as the enemy regards those laws! But I say it is a suspension of the principles of right and wrong, and that is the only principle on which you can now rest the question. The neutral says, “I will not only disobey the order of the enemy, but I will join you in inflicting on him the consequences of his rapacity, and disregard of the law of nations.” No; replies the retaliating belligerent, we will inflict on you

an injury, against which you offer to guard us! and such is the blindness of our rage, or the infatuation of our pride, that we rashly inflict the same evils on our own country. England says to America, we will not receive your assistance; we will not accept your offers; go to France. Will not that, I say, terminate in a connection between America and France? You, in fact, send America to form an alliance; you affront her out of your arms into those of France; you forget, too, that character — national character, is at once your shield and most powerful weapon. If it be asked, who now is the coadjutor of France in enforcing the Berlin decree? Is it not England; who, to the weakness of thus falling into the very snare spread for her by Buonaparte, has superadded the folly of throwing America into the arms of France? But, to all this, you say, we will fight France with her own weapons, as if her principles could be your weapons. We have fought too long, and too nobly, to begin now to fight away our national character against the well-practised iniquity of France. Let us fight in no cause we do not believe to be an honest one. But you are found unequal to contend with France in the policy of her iniquity, though you are ready blindly to follow her steps, which ever road she chooses to take.

On the principle of justice, the subject is as clear as light; let us consider it on the principle of policy, in what depends upon our commerce. We know our strength is our navy; we know our navy is identified with our commerce; and who will say our commerce is not improved by our intercourse with America? America is naturally your friend; she is your great western barrier, and little disposed or calculated to be your rival. You are connected; inseparably connected. Descended from the same ancestors, with every similitude of religion, language, laws, and customs; will you hesitate to acknowledge the identity? Injustice to the one must be injustice to the other. If there can be in existence what are monstrously termed natural enemies, it were charitable to hope that there are also natural friends. Such are the Americans; such ought they to be; and such I do believe they will yet be, if you treat them not with cruelty; if you cast them not off with scornful contempt. Will the honourable gentleman shelter himself by saying, that there is another part of the globe in which our commerce is suffering? Before those restrictions, I mean the year before the operation of the Orders in Council, your exports to America were more than twelve millions, your imports upwards of six. But, suppose the loss or diminution of our commerce to be, upon the honourable gentleman's own calculation, only one million three hundred thousand pounds, instead of six mil-

lions, is not that a great loss? It is most formidable. Look to our privations of the raw materials for some of our most important manufactures — cotton and flax, articles without which Ireland cannot now exist. I foresee the difficulty. Ireland would bear this privation without a murmur, and defy the power of privation, to prevent war with America. But can you induce Ireland to endure that misery to support your punctilious orders in council? No; this is an injury of too violent a nature. You petulently give up America — a growing country, whose natural pursuit is agriculture; from which, by your privations, you divert her attention, and thus compel her to acquire the art and habit of manufacturing to supply her increasing population with some of the necessities and comforts of human existence. The distance of time must have been remote, indeed, ere this effect could have been produced but for your Orders in Council! But that direction once given to a certain portion of American labour, its tendency will inevitably be that of increase in skill, and increase in the desire of that species of profit. Industry will produce increased facilities; and realized emoluments, that energy which, immeasurable as may be the apparent distance of the period, must ultimately terminate in independence, if not rivalry; and this by an infant power, who, until the lapse of centuries, had you but preserved her friendship, must have felt it her interest to promote your manufactures. Unassailable by the power of France, a strict, sincere, political connection with America, were to you most valuable. Consider well before you give up a growing country, adding abundantly to her population, increasing your wealth by the consumption of your manufactures; a country where the tyrant mace of Buonaparte was never raised. To give up such a country requires great countervailing benefits.

The adoption of so rash a measure does surely require some greater advantage than the exiguous receipt of 32,000*l.*, as the product of the contribution, under the certain levy of which France and all Europe were to feel the force of your maritime strength. Can you coerce the continent of Europe by withholding colonial produce? The idea is proved to be erroneous. What will be the effect of your attempt? Disappointment and defeat. You should by no means wean the European continent from luxury. If you once deprive the continent of ease, luxury, comfort, you make it an universal soldier. This will inevitably be the effect. Buonaparte will thrive, for you leave to him and the population of Europe no resource but that of war. The tendency of your orders in council is to martialize, to barbarize Europe. Where have

the privations of sugar and coffee retarded the march of the troops of Bonaparte, or diminished the evils of Europe? Conscious of the impotence of the anger of America, Buonaparte disregards her complaints, and disdainfully refuses her friendship. It is absurd to tell America to compel France, commanded by that superior man of mischief, to revoke her decrees. You have driven America into strong measures; you have driven her into habits of indisposition towards you. If America is indisposed, I lament it. She is so to her own interest and safety. Who is in fault? — those who want again to force her to submit to your taxation; a word at all times most odious to the ear of an American. And to dream of compelling her to waft her produce across the Atlantic for that purpose, is a project as monstrous as unattainable. Thus we at the same moment compel all Europe to arm against us, and shaking off, most contemptuously, our natural friend, America, compel her not only to join the phalanx of our enemies, but to adopt those habits of industry, by which one important pillar will be taken from under the fabric of our commercial greatness. You have *fidgitted* yourselves by a restless incapacity, out of the affections of America, whom you force from the natural state of a young country to anticipate the efforts of maturity. So that you make the enemy a nation of soldiers, and America a nation of manufacturers; and thus do all you can to enable the one to beat, and the other to starve you: The destruction of the commerce of America were bad; but giving her to France is much worse. Your measures lead directly to that deadly and destructive effect. The true cause is false pride and passion operating on false politics, destitute alike of wisdom and dignity. Your conduct has been marked by jealousy and envy of the petty commerce of infant states. America is accused unjustly of partiality to France, for it cannot be that *America does not love liberty*. Has the conduct of England been such, that not only the atrocious plunder and subjugation of France, the enslavement of Holland, the various innumerable acts of rapacity of Buonaparte, and, above all, his horrid policy with respect to Spain, have not exasperated the minds of the Americans in so great a degree as the incapable policy of England? This is a most *fearful* reflection! Shall it be said, that our restless and dominating oppressions have been such as to make even a free people lose their reverence for liberty, and treat you with absolute indifference? The strength of this country does not lie in imposing privations on others, in depriving the continent of Europe of luxuries; it lies entirely in the integrity, spirit, and extent of your commerce. On that is founded your

naval empire, that true pillar of your greatness. Your little paltry envy of the growing prosperity of infant states is unworthy of the dignity and power of this mighty empire — for such it is. Suffer them to enjoy that prosperity; let them gradually increase; your interests are in common. Instead of the petty rival, assume the character of the firm and dignified protector. By playing a paltry, petty game for an annual revenue of about 100,000*l.*, you lost it. This deprived you of one of the greatest portions of the globe. If you play the little game again, you will lose your empire; you will lose every thing. America can never be jealous of your navy, because she can only be something by land, by your being every thing by sea; assert your own dignity, despise the idea of monopoly, let liberality guide your counsels, and, remembering the loss of America, be not so infatuated as to cast away the friendship of that natural friend, and throw her into the arms of France.

Mr. Canning and M. G. Rose opposed the motion.

On a division, the numbers were, for the address 83, against it 145; Majority 62.

Tellers for the Ayes, The Earl Temple and Mr. Eden.

Noes, Sir George Hill and Mr. Sturges Bourne.

SALE OF SEATS IN THE HOUSE OF COMMONS.

MOTION OF LORD ARCHIBALD HAMILTON, TO CENSURE LORD CASTLEREAGH, FOR AN AGREEMENT TO DISPOSE OF A WRITERSHIP IN INDIA FOR THE PURCHASE OF A SEAT IN THE HOUSE OF COMMONS.

April 25. 1809.

ON this day, Lord Archibald Hamilton stated, that from the evidence taken before the committee on East India abuses, it appeared that a corrupt agreement had been entered into between Lord Castlereagh, Lord Clancarty, and a person of the name of Reding. From the evidence of Lord Castlereagh, it was proved; that he had placed a writership at Lord Clancarty's disposal, in order that Lord Clancarty might obtain a seat in Parliament; that Lord Castlereagh had seen and communicated with Mr. Reding on the subject. Mr. Reding's evidence states, that upon this, he had a conversation with a Mr. Davies, the purport of which was, "That one party wanted a sum of money, the other party was to give a seat in Parliament, and that the money was to go in this sort of negotiation." He contended, that the offence was the greater, as Lord Castlereagh had been President of the Board of Control; that he was at the time, one of the Secretaries of State; and that Lord Clancarty was also a member of the same board; that the object of that body, as well as the duty of the minister, was to

prevent the misapplication of the patronage of the crown, and particularly so with respect to the election of members of Parliament; that by a resolution of the House of Commons, of the 10th of December 1779, it was declared to be, "highly criminatory in any minister or ministers, or any other servant under the crown of Great Britain, directly or indirectly, to use the powers of office in the election of members to serve in Parliament; and an attempt at such influence will at all times be resented by this House as aimed at its own honour, dignity, and independence, as an infringement of the dearest rights of every subject throughout the empire, and tending to sap the basis of our free and happy constitution." He concluded by moving, "That the evidence taken before the committee on East India abuses of Lord Viscount Castlereagh, the Earl of Clancarty, Mr. Reding, and Mr. Davies, be now read."

The clerk read the evidence, and Lord Castlereagh, before he withdrew, rose to make some observations in reply. He denied that he had in any instance made use of the patronage of the crown for the purpose of political considerations, or in order to obtain an undue influence in the House; he was anxious that Lord Clancarty should get a seat in Parliament, but the bartering of a writership for it was never his intention: he declared, that he was not influenced by an interested or corrupt motive; that, as a minister, he had a right to give the persons who supported government every assistance that his official situation and duty allowed. Lord Castlereagh having retired, Lord Archibald Hamilton then proposed the following resolutions:

1st, That it appears to this House, from evidence on the table, that Lord Viscount Castlereagh, in the year 1805, he being then President of the Board of Control, a privy councillor, and Secretary of State, did place at the disposal of Lord Clancarty, a member of the said board, the nomination of a writership to India, for the purpose of thereby procuring the said Lord Clancarty a seat in this honourable House.

2d, That it was owing to a disagreement among other subordinate parties to the transaction that this corrupt negotiation did not take effect.

3d, That Lord Viscount Castlereagh has been by the said conduct guilty of a violation of his duty, of an abuse of his influence and authority as President of the Board of Control, and also of an attack upon the purity and constitution of this House.

The resolutions were opposed by Lord Binning, Mr. Percival, Mr. Bankes, Mr. Manners Sutton, Mr. Johnson, Mr. Croker, and Mr. Canning. They contended that the offence of the noble lord was in its nature only in intention, and was never completed; that it did not merit such a severe punishment as would follow from the motion, which would compel the noble lord to resign his situation. The resolutions were supported by Mr. W. Wynne, Lord Milton, Mr. William Smith, Mr. Ponsonby, Mr. Whitbread, Sir Francis Burdett, and Mr. Tierney. They maintained, that this was a high offence against the constitution, and that it was in direct violation of a resolution on their journals. When Mr. Hamlin had been pro-

secuted for offering a bribe to Lord Sidmouth, and Mr. Beasley was suffering for a similar proceeding towards the Duke of Portland, it was not possible to pass over the present offence. Political intrigues of this sort had been carried on to a great extent in the sister country, (Ireland,) and under their auspices the noble lord commenced his political career. That this question was intimately connected with a reform in Parliament, and vitally affected the independence of the House; it was also said, that they should remember the words of Lord Chatham, "That if the House did not reform itself from within, it would be reformed with a vengeance from without." Lord Binning moved the order of the day; Mr. Canning proposed as an amendment, "That it is the duty of this House to maintain a jealous guard over the purity and independence of Parliament; but that this House duly weighing the evidence before it, and all the circumstances of the case, and considering that the intention referred to in that evidence, was not carried into effect, this House does not think it necessary to come to a criminatory resolution on the same."

Mr. GRATTAN said: that it seemed to be generally admitted that an offence had been committed. The offence too was of that sort, the principle of which went to affect that House in its privilege, and the country in its constitution; but then in this, as in every other, there were degrees, and the punishment should be consonant to the degree. The noble viscount was on his trial, and the House was bound to go through that trial with judicial temper rather than any spirit of prosecutory violence; and it was upon this principle that he could not approve of going back to the political proceedings in which the noble viscount had such a share in effecting the measure of union with Ireland. He could hardly think it fair to charge that noble lord upon one issue, and to try him upon another.

He thought, therefore, that in entertaining the present charge they were to look to it only. And, in the first instance, he must do justice to the noble lord. He liked the candid manner in which he had made his statement. His defence, such as it was, was frank and well judged, for there was throughout a decent respect for constitutional principles. This much he said in justice to the noble lord; but then what had the noble lord confessed? that he had evaded a great principle of the constitution; but that he had not so evaded it with a view to attack the constitution, but with a view to accommodate a friend: an offence in either case; but, in either, the motives were so widely different, as to put a marked distinction between the offences in both. At the same time, the attack upon the constitution was direct, but then it did not, as it stood, seem to be one of a series. There did not appear

any evidence of a system; it stood alone; and looking at it so, it did appear to him, as if the noble viscount at the time when he was guilty of that offence, was not aware of its extent; but still the offence called for the animadversion of that House. The purchasing of a seat in that House was considered such an offence, that the bare mention of it was disorderly; at least, to state it as a fact was so. The House, then, could not now pass over with indifference proofs of such an offence; an offence that went most against its dignity, by soiling the purity of that source which constituted its dignity, by centreing its character in its creation. It was selling what was not to be sold, and buying what was not to be bought; it was making the legislative executive; and more than that, making the executive legislative, and both undermine the government they were constituted to sustain. It was making all the parts conspire against one another, and break off from the common centre that made them strong in their common union. An offence coming under the order of such offences could not be overlooked by that House.

But the offence of the noble lord was not single; he had offended, not only as a minister of the country, but as a President of the Board of Control; as a minister he ought not to have sought to purchase a seat in that House; as a President of the Board of Control, he ought not to have proffered a writership for that seat. Here, then, there was a complicated crime. Suppose even this abuse was not unusual; for that reason the House ought now to interpose, and not allow a minister of the crown to employ public property (for offices were public property) in such a way for any private end whatever. It was idle to draw a distinction; that made the offence worse, by making it more alarming. Government, it was said, had a right to use its patronage in its own support. Then why not all patronage? civil, military, ecclesiastic? and for what was any government to be allowed the right of calling forth all its patronage on this specious principle of self-defence? Why, to model the Parliament to the government — all this was to be done to new-model the Parliament.

The House had upon a late instance shown a laudable jealousy of corrupt practices; how could they now reconcile that jealousy with a connivance at this principle? Were the ministers to be permitted, that which would be criminal in any individual, and that, too, on the principle that their power might not be weakened; the power that perhaps gaye the nerve to their abuses. This was to dread the streamlets of corruption, and at the same time to brave its inundation.

This he applied merely to what was called government patronage; but as to the noble lord, he had confessed his crime; it could not be passed over, though he (Mr. Grattan) acquitted him of the intention to the extent of which the crime was capable; but still countenancing it, even on this principle, was conniving to the extent at the abuse of it. The House have before it the whole of the case and the defence. A writership might have been given to facilitate the return of a member to Parliament. The noble lord has not denied the offence, but only denied any intention of attacking the freedom of Parliament. I do not think it possible that the House can refuse to affix to such a transaction the deserved reprobation.

The House then divided, on the original motion of Lord Archibald Hamilton: Ayes 167, Noes 216; Majority against the resolutions 49.

Tellers for the Ayes, Lord A. Hamilton and Mr. Wm. Smith.
Noes, Mr. Wallace and Mr. Croker.

The House next divided on Mr. Canning's amendment: Ayes 214, Noes 167; Majority for the amendment 47.

Mr. C. Wynn then proposed, that there be added to Mr. Canning's amendment words to this effect: "That the House was confirmed in its opinion that it was unnecessary to proceed further in the case, from the openness which the noble lord had displayed, and the regret which he had expressed for his conduct." This amendment, however, was negatived without a division.

IRISH TITHES.

MR. HENRY PARNELL MOVES FOR LEAVE TO BRING IN A BILL
TO REGULATE TITHES.

May 19. 1809.

MR. HENRY PARNELL stated that several petitions had been agreed to, of late, in Ireland, on the subject of tithes. The mode of collecting them, he stated, to be highly oppressive. The tithe-proctors were a species of local tyrants; they oppressed the lower orders; they created discord between the pastor and the flock; and aggravated the evils of a system, which not only checked industry, but was injurious to the cause of religion. Much of the disturbance which had so long agitated Ireland arose out of the system of tithes. It appeared from the examination of the leaders of the Irish insurrection, eleven years ago, before a committee of the Irish House of Lords, that this system was complained of as a principal grievance. On that occasion, Doctor M'Nevin, one of the leaders, and a man of acknowledged

ability, was asked — “ If tithes had been commuted, according to the plan proposed by Mr. Grattan, what effect it would have been likely to produce upon the people ? ” He answered : “ That it was a plan by which a most powerful engine would have been taken out of the leaders’ hands ; and, that the people of Ireland wished to be relieved from the payment of tithe.” Mr. Parnell conceived some alteration in the system would greatly tend to the improvement of Ireland. He moved, accordingly,

“ That leave be given to bring in a bill, to enable ecclesiastical persons or bodies, rectors, vicars, and curates who are entitled to tithes in Ireland, to demise the same, at certain yearly rents, for a term of twenty-one years.”

The motion was supported by Mr. Ponsonby, Colonel Hutchinson, the knight of Kerry (Mr. Maurice Fitzgerald), and Mr. Wm. Tighe. They stated, that the measure would highly conduce to the prosperity of Ireland ; and that the generality of ecclesiastical bodies were favourable to a change in the mode of collection.

It was opposed by Mr. Croker, Mr. M’Naughten, Mr. Canning, and Mr. Percival.* Mr. Wilberforce stated his anxiety for a remedy of the evils complained of. The House were in want of information on the subject of Irish policy ; but, as he saw no prospect of doing any thing effectual this session, he could not support the motion. Mr. French moved “ the previous question.” Mr. Canning and Mr. Denis Browne declared they did not found their opposition upon the principle of the measure. Mr. Percival stated, he had maturely considered the question, intending to bring forward some measure on the subject ; but, on examination, the difficulties were so various and multiplied, that he abandoned his intention as impracticable. In his opinion, the whole of the tithes in their present mode of collection did not produce 50%. per cent. of their real value. To ascertain that value, it would be necessary to institute a commission in the first instance. As the law now stood, a clergyman could grant a lease of his tithes during his incumbency ; but it was true it did not bind his successor, because an obvious evil would be, the temptation of a fine to make a lease which would prejudice his successor. In regard to the pledge stated to have been made at the time of the union, as to a commutation of tithes, he could only say, he had never heard of it before.

Mr. GRATTAN observed, there was no subject that pressed more upon the feelings of the Irish people than tithes. It affected them in every way ; first, it came in the shape of the proctor to the door of the poor man ; backed by an indefinite demand, and followed by a law-suit, and a charge for agency. The proctor was odious to the Irish peasant. He was the greatest oppressor that ever roused the indignation of a people. He was a character, who, having no connection with religion, yet in Ireland seemed identified with it ; indeed, with the powers that the present system of tithe-collection gave him, he

must always be an oppressor. He was also a dishonest man; he not only oppressed the poor peasant, but he cheated the parson; he was also the cause of the odium incurred by the clergy. Mr. Grattan avowed himself a friend to the commutation of tithes. In establishing that, all care should be taken that the clergy should not suffer by the depreciation of the value of tithes. He thought that the plan he once had the honour to propose to the Irish Parliament, very practicable, and that much of the disturbances that afterwards prevailed in that country might have been avoided by its adoption. As the system now stood, it operated with peculiar hardship upon by far the greater portion of the population of Ireland. It was a hardship upon the Catholic to pay two churches: one which he paid from choice, and another from necessity; from the latter of which, as it was well expressed by his honourable friend (Mr. Tighe), he received neither spiritual consolation, nor political protection. He was convinced the poor in Ireland would derive great advantage from a commutation. The question itself was to be debated on two grounds, both as respecting the measure itself proposed, and as leading to a system of commutation. To the latter he professed he had been always friendly: he was always friendly to the church establishment, yet he could not but think that the nature of tithes, served only to render the clergy disrespected. He would not diminish their income, although he considered it abundantly ample, but he would not have it remain uncertain. He allowed there was difficulty in applying a remedy to the evil, but he would not allow it was impossible. If gentlemen will not enquire, they cannot expect to be informed, and the only way to acquire information, is to go into a committee, and therein learn the state of the Irish Church. If the right honourable gentleman had good grounds for the change in his sentiments, he thought he was equally well founded in adhering to his. It was idle and ridiculous to talk of inquiring into the real value of tithes, for if they did so they would equally inquire into their application, and the purposes for which they were originally granted, and in that event he apprehended the clergy would be found to be no great gainers by this inquiry: the true object of inquiry would be, what was a fit and proper support for the clergy? And upon that inquiry, he was sure they would not be left less rich, and he did not wish they should be more so. A great hardship in tithes was, that they were not merely a tithe upon the produce of the land, but also of necessity upon the labour in the attainment of that produce; the uncertainty of that produce was likewise the foundation of disputes every year, unless they did that by agreement,

which should be done by act of Parliament. He had himself, at two different periods, proposed what he considered a remedy for the evil, and he thought either of them was preferable to the present system: in like manner, he considered the present bill as proposed, at least feasible. At the period of the existence of that description of disturbers called White Boys, he had proposed, and clergymen had adopted a system of commutation, by which they had obtained an income considerably larger, and with mutual satisfaction, than they could have obtained by the regular mode of levying tithes; the system of leases he considered as by no means impracticable: they would certainly have the good effect of enabling the farmer to follow and enjoy his industry, without the dread of any fresh demand being made upon that industry. He considered the principle a good one, and commutation eligible, as securing to the farmer the greatest blessing he was capable of receiving, — security against uncertainty; and if the right honourable the Chancellor of the Exchequer doubted it, the best mode of deciding the question would be, to establish a commission to inquire into the subject. An acreable rate would satisfy the parishioners, and improve the income of the clergyman.

The previous question being put, the House divided: Ayes 137; Noes 62; Majority against Mr. Parnell's motion 75.

Tellers for the Ayes, Mr. Huskisson, and Mr. Barry.

Noes, Mr. Parnell, and Mr. Calcraft.

REFORM BILL.

MR. CURWEN'S BILL TO PREVENT THE PROCURING SEATS IN PARLIAMENT BY CORRUPT PRACTICES.

June 9. 1809.

THE proceedings of Lord Castlereagh, and Lord Clancarty, as detailed in the evidence before the committee on India abuses; the attempt made by them to traffic an office for a seat in Parliament, and the resolution of the House of Commons on Lord Archibald Hamilton's motion on that subject, called the attention of members to these corrupt practices; accordingly a bill was introduced into Parliament by the Chancellor of the Exchequer (Mr. Percival) to prevent brokers from trafficking in seats and places, and on the 4th of May, Mr. Curwen obtained leave to bring in "a bill for securing the independence and purity of Parliament, by preventing the procuring or obtaining seats in Parliament, by corrupt practices, and likewise more effectually to prevent bribery." He

stated, that his object was to prevent the sale of seats in the House of Commons, and the trafficking for them by means of places and commissions, such as had been proved in the cases of Mrs. Clarke, and Mr. Beasley. It was supported by Mr. Ponsonby, and the Chancellor of the Exchequer (Mr. Percival). On the 18th it was read a second time, but in the progress of the bill several clauses were introduced by the minister, which wholly altered its nature. On the 1st of June, it was strongly supported in the committee by the Speaker (Mr. Abbott). On the 9th, the Chancellor of the Exchequer introduced a clause, imposing a penalty on any person who should make a gift or promise of money, in order to obtain a return to Parliament. The penalty was fixed at 1000*l*. On the clause originally proposed by the Chancellor of the Exchequer, imposing a penalty on persons for giving any office or place, on any "*express*" contract or agreement, in order to procure a return of a member to serve in Parliament, Lord Milton proposed that the word "*express*" should be omitted: he conceived, that leaving that term in the bill would augment the influence of the Crown. Mr. Curwen stated that his bill had been entirely altered and loaded with clauses which he did not approve, and that its nature was completely changed. The amendment was supported by Sir William Lemon, Lord Porchester, Sir John Newport, Mr. Whitbread, Sir Francis Burdett, and Mr. Lyttleton. It was opposed by the Chancellor of the Exchequer, the Solicitor-general, (Sir Thomas Plomer), and Mr. Canning.

Mr. GRATTAN agreed entirely with his right hon. friend, (Sir J. Newport,) in wishing for the adoption of the bill. The rejection of it, might insure ministers a corrupt majority in Parliament; the adoption of it, would afford the people at least a chance of independence. He declared his intention to vote against the term "*express*" although it was his determination to support the bill, were that term even admitted to stand part of the clause. There were defects in the bill, which did not arise from the honourable mover, but were introduced from a quarter not equally interested in its success. Still, however, he would support it, because it appeared to him to be a declaration of the common law of the land, and a reassertion of the constitution. By the common law of the land, any minister who procured by money, seats in Parliament, was guilty of a breach of the constitution, and punishable by impeachment. He would suppose a consequence of that bill, which he was not inclined to admit in fact, that the entire monopoly of the purchase of seats would be exclusively confined to the ministers. If any minister acted upon such a principle, by taking advantage of his exclusive possession of the market, he (Mr. Grattan) was certain, that the notoriety would be enough to remove him. He would rather that the whole clause should be expunged, than the word "*express*"

should be retained, but at all events he should vote for the bill, as he considered it the restoration of a constitutional principle; the common law was now practically repealed, and it required to be revived by statute. The bill (owing to its modifications) might not immediately produce the benefits intended, but it might operate slowly, and in the end produce some salutary effects. He was in favour of the oath; there were many other clauses which he considered advantageous, but so great was his attachment to the principle, that he would take it even destitute of those provisions.

The House divided: for the amendment to omit the word "*express*" 74, against it 97; Majority 23.

Tellers for the Ayes, Lord Binning and Mr. Huskisson.

Noes, Lord Milton and Lord Porchester.

ROMAN CATHOLICS.

MR. GRATTAN PRESENTS THE PETITION FROM THE ROMAN CATHOLICS OF IRELAND.

February 28. 1810.

MR. GRATTAN rose to present to the House a petition from divers Roman Catholics in Ireland. It was a prayer for constitutional privileges. It applied for those privileges through the constitutional organ; it sought for a legitimate object, by legitimate means; it was right to encourage communion between the people and their representatives; it preserved that mutual understanding, that was so necessary to the maintenance of mutual good will. When last he had the honour of addressing the House in behalf of the Catholic claims, he had then stated, that the Catholics were willing to accede to His Majesty the right of *veto* on the Catholic nomination of their bishops. He was sorry to say, that he could not now affirm, that such were the sentiments of the Roman Catholics of Ireland upon that subject. Whether he had misinformed the House, or the Catholics had been guilty of retraction, was a question which he should never agitate, it being his fixed principle never to defend himself at the expence of his country. The admission of the Catholic to a participation in the rights enjoyed by his Protestant fellow-subject, he had always thought a measure of imperious necessity, originating in wisdom, and founded upon the public good. He had, however, at the same time thought, and uniformly thought, that

the investiture of a foreign power, with the unqualified and arbitrary right of nomination to any portion of our magistracy, was, in itself, an objection that circumscribed the liberality of many, and had shaken the confidence of more. This objection might perhaps be removed, certainly be modified. He thought it ought to be modified, for, putting it broadly, it was calculated to awaken apprehensions of injurious consequences to these realms, and more particularly if looked at in reference to the present situation of the Spiritual Head of the Roman Catholic religion. The Pope was, or was likely to be, a French subject; it was desirable, it was indispensable, that the nomination of the spiritual magistrates of so great a portion of the community should not be at the control of the common enemy. In saying this, he spoke the sentiments, the wishes of the Roman Catholics of Ireland; their opinion in this respect was notorious and decisive; they were unanimous as to the object; they differed only as to the means; and if the majority should ultimately disapprove of the measure of *veto*, he thought that it behoved the Catholics to provide by some other mode equally efficient, and not equally obnoxious, that no grounds be left for those gloomy apprehensions of insecurity, resulting from acceding to their claims. It was, he repeated, absolutely incumbent upon the Catholics to adopt some other mode, since they could not agree to that, to show that the admitting them to the privileges of the Constitution was wholly consistent with its safety. He had deep and ample faith in that consistency; but now when the Pope was, or was soon to be, the subject of a foreign enemy, the Catholics would be solicitous to provide that the nomination of their spiritual magistracy should not be an instrument against that Constitution they had so long contributed their aid to support, and so long solicited the privilege to enjoy. The Catholics may not think the mode of *veto* the best way to effect this desirable purpose; but the object was not the less ardently wished for because they disputed the best means of attaining it. Upon some future day, he would take occasion to call the solemn deliberation of the House, to sit in judgment upon the great question of giving all the defenders of the empire the same interest in its security; of consolidating our means as a people, by making us an united people, cementing our strength by a more universal diffusion of the privileges that made us strong, and extending the defence of our rights by extending their participation. On that day, he should rest his arguments upon two great claims, which he would put in on the part of the constitution: first, no religious disability; next, no foreign nomination. Upon the

common ground of those two principles, he would take his stand; for the present he should say no more. He deprecated, in the present stage, any conversation that could not embrace the question fully, and that might go too far upon detached points; and upon the future discussion he trusted that there would not be betrayed, upon either the one side or the other, any heat or violence. This was a question upon which transient effusions of ungoverned warmth might inflict permanent wounds. Passion and prejudice should keep equally aloof from its discussion. The soothing progress of time had imperceptibly done much to heal, and change and reconcile; reciprocal good-will had been gaining upon reciprocal recrimination. The question was a sort of protracted marriage. Both parties were growing wearied of asperity; they were learning to bear with one another's failings, to take the worse for the sake of the better, and would soon have a common sympathy in their sufferings and enjoyments. He concluded with moving, that the petition do lie on the table.

The Chancellor of the Exchequer (Mr. Percival) said, that he hoped, as the right honourable gentleman seemed to admit the danger of concession to the Catholics, that he would hear no further of charges of intolerance, since the right honourable gentleman acknowledged that some danger was to be apprehended from the spiritual influence of the Pope. He concluded by entering his protest against the principle of condemning men as intolerant, because they exercise their judgment upon a great, religious, and political question. Mr. Christopher Hutchinson complained of the want of candour and discretion in the conduct of the Chancellor of the Exchequer. He hoped that what had fallen from Mr. Grattan would have due effect upon the Catholics, and that they would be ready to come forward to separate themselves from foreign influence, and yield any pretension inconsistent with the security of the Constitution. He would not give up his opinion on the veto, and he was sure the Catholics would do right to assent to it if they could do so consistently with their religion. In reply to the Chancellor of the Exchequer.

Mr. GRATTAN said, that he had never changed his mind upon the great question of the Catholic claims: the course he had pursued, had been pursued by others. When Mr. Fox presented the petitions of the Catholics, he did not enter into the consideration of the small items of minor expediency; that was for the Committee to do, and he moved for a Committee; so had he (Mr. Grattan) done. He supported the broad question, and reserved the minor questions of qualifications, limitations, and security, for the Committee. He first asked them to go into the Committee. It had been argued on the

ground of provision and of security, in another place ; it was allowed to be a question of complicated consideration ; this was then an argument for going into the Committee ; besides, the Pope was then an independant power, or at least a power dependant upon England ; but now the Pope was wholly dependant upon France ; and it was to be remembered, that the actual situation of the Pope was a mere ingredient in the question. By delaying the measure until now, the Catholics had lost the opportunity of obtaining their privileges, and England had lost the opportunity of displaying her generosity.

The Petition was then received.

Mr. Parnell and Mr. Hutchinson also presented petitions from the Queen's County and the County of Cork ; and after a few words from Dr. Duigenan, they were received, and ordered to lie on the table.

WALCHEREN EXPEDITION.

LORD PORCHESTER PROPOSES HIS RESOLUTIONS OF CENSURE ON
MINISTERS ON ACCOUNT OF THE FAILURE OF THE EXPEDITION
TO THE SCHELDT.

March 29. 1810.

IN the month of July 1809, the largest expedition, both naval and military, that had ever left England, sailed for the Scheldt. The army landed in the Island of Walcheren, and took possession of the port of Flushing after a siege of fourteen days ; but in consequence of the delay occasioned thereby, the French fortified themselves so strongly at Antwerp, and in the adjacent places, that the expedition, after a considerable loss of men by casualties and fever, were obliged to return to England. In order, however, to give a colour to justify the sending such an expedition, a garrison was left in the Island of Walcheren; the climate of which, towards the fall of the year, was peculiarly unwholesome ; in consequence of which the British army fell a victim in great numbers to sickness and fevers. An enquiry was instituted before a Committee of the whole House into the causes of the failure of the expedition, and after a long and minute examination of the principal officers and persons employed, from which the impracticability of success was clearly manifest, Lord Porchester gave notice of a motion on the subject, and on the 26th he entered at great length into the question. He detailed the extravagance of the project, and condemned the ministers for undertaking it contrary to the opinion of the ablest officers, and still more so for retaining the island at the most unwholesome period of the year, and without any object but an endeavour to screen their original error. He proposed a vote of censure on the government ; and concluded by moving two dif-

ferent sets of resolutions; the one on the policy and conduct of the campaign, the other on the retention of Walcheren, after the ulterior object was found impracticable, Being exhausted; the resolutions were read by Earl Temple, as follow :

No. I.—1st. “ That on the 28th of July last, and subsequent days, an armament, consisting of 39,000 land forces, 37 sail of the line, two ships of 50 guns, three of 44 guns, 24 frigates, 31 sloops, five bomb-vessels, and 23 gun-brigs, sailed on the late expedition to the Scheldt, having for its object the capture or destruction of the enemy’s ships, either building at Antwerp or Flushing, or afloat on the Scheldt; the destruction of the arsenals and dock-yards at Antwerp, Terneuse, and Flushing; the reduction of the island of Walcheren, and the rendering, if possible, the Scheldt no longer navigable for ships of war.

2d. “ That Flushing surrendered on the 15th of August, whereby the reduction of the island of Walcheren was completed; and that, on the 27th of August, all attempts upon the fleet and arsenals of the enemy at Antwerp was, by the unanimous opinion of the Lieutenant-Generals, declared to be impracticable, and was abandoned.

3d. “ That the destruction of the basin, dock-yard, arsenal, magazines, and naval store-houses of the town of Flushing, and of such part of the sea defences as it was found proper to destroy, having been effected on the 11th of December, the Island of Walcheren was, on the 23d of December, evacuated by His Majesty’s forces, and the expedition ended.

4th. “ That it does not appear to this House, that the failure of this expedition is imputable to the conduct of the army or the navy, in the execution of their instructions, relative to the military and naval operations in the Scheldt.

5th. “ That on the 19th of August a malignant disorder showed itself amongst His Majesty’s troops; and that, on the 8th of September, the number of sick amounted to upwards of 10,948 men.

6th. “ That it appears, by the report of the Physician appointed to investigate the nature and causes of the malady to which His Majesty’s troops were thus exposed, that the disease is one which prevails periodically in the islands of Zealand, and is of peculiar malignity there, and which constantly follows a law of season, appearing towards the end of Summer, becoming more severe in the autumnal months, declining in October, and nearly ceasing in November. That perfect recoveries are rare, convalescence never secure, and that the recurrence of fever quickly lays the foundation of complaints which render a large proportion of the sufferers inefficient for future military purposes.

7th. “ That of the army which embarked for service in the Scheldt, 60 officers, and 3900 men, exclusive of those killed by the enemy, had died before the 1st of February last, and on that day 217 officers and 11,296 men were reported sick.

8th. “ That the expedition to the Scheldt was undertaken under circumstances which afforded no rational hope of adequate success, and at the precise season of the year when the malignant disease,

which has proved so fatal to His Majesty's brave troops, was known to be most prevalent; and that the advisers of this ill-judged enterprise are, in the opinion of this House, deeply responsible for the heavy calamities with which its failure has been attended."

No. II.—1st. "That Lieutenant-General Sir Eyre Coote having, on the 9th of September, been left in the command of Walcheren, with an army of about 15,000 men, did, on that day, make an official report on the state of the island, the extent of force required effectually to guard it, the nature and conditions of its defences, and the number of men then sick and unfit for duty; representing that, after such his exposition, His Majesty's ministers would be the best judges of the propriety or possibility of keeping the island; and adding, that the advantages must be great indeed which could compensate the loss of lives and treasure which the retention must necessarily occasion.

2d. "That on the 23d of September, Sir Eyre Coote stated to His Majesty's ministers, that the alarming progress of disease was such, that, if it should continue in the same proportion for three weeks longer (as he added there was every probability that it would), our possession of the island must become very precarious.

3d. "That on the 6th of October Sir Eyre Coote, after stating that the number of sick was increasing, and that the effective force was thereby rendered so trivial, as to make the defence of the island, if it should be attacked, extremely precarious, did express his anxiety to be informed of the intentions of His Majesty's government as to the future state of Walcheren.

4th. "That notwithstanding these, and many other pressing representations, in the alarming condition of the troops, and the danger to which they were exposed, His Majesty's ministers did neglect to come to any decision until the 4th of November, and that the final evacuation of Walcheren did not take place until the 23d of December.

5th. "That on the 10th of September the number of sick in the Island of Walcheren was, exclusive of officers, 6938; and that the total number of sick embarked for England, between the 15th of September and the 16th of November, was 11,199 making in that period an increase of sick of 4,268.

6th. "That although the great object of the expedition had been abandoned as impracticable, a large proportion of the British army was (without any urgent or determined purpose in view, or any prospect of national advantage to justify such a hazard, or to compensate such a sacrifice) left by His Majesty's ministers to the imminent danger of attack from the enemy, and exposed during a period of more than three months, and under circumstances of aggravated hardship, to the fatal ravages of a disease, which, on the 31st of August had been officially announced to be daily increasing to a most alarming degree.

7th. "That such the conduct of His Majesty's advisers calls for the severest censure of this House."

The resolutions were opposed by Lord Castlereagh, in a very long speech, in which he defended his conduct, and that of His

Majesty's ministers, and said, that the failure arose from causes which the framers of the expedition could not foresee or control. The plan was well conceived, and the armament perfect in all its parts. The want of success was solely to be attributed to the chances of war. The debate was adjourned until the 27th, on which day the motion was supported by Mr. Ponsonby, and opposed by General Crauford, who moved the following resolutions:

"That this House, taking into consideration the extreme importance of destroying the extensive and increasing naval means and arsenals of the enemy, in the Scheldt, where a considerable navy had already been constructed, and was growing with great rapidity, and to a formidable extent; and taking also into consideration the expediency of effecting a diversion in favour of Austria, at the period at which the expedition was undertaken; considering, also, the probability of success arising from the reduced state of the enemy at that period in the neighbourhood of the Scheldt, is of opinion, that His Majesty's ministers were justified in applying the naval and military means of the country, in a manner which combined a great national object with a prospect of affording essential assistance to our ally; and in advising the undertaking of the expedition, notwithstanding the difficulties with which it was known to be attended; difficulties which appear to this House to have increased to a degree which could not be foreseen or provided against, by a state of wind or weather altogether unusual at that season of the year, and most unfavourable to the projected operations.

"That this House sees with the deepest regret, the loss of the valuable lives occasioned by the sickness of the army in the late expedition to the Scheldt. Yet, taking into consideration the great and acknowledged importance of the possession of the island of Walcheren, commanding the entrance of the principal naval station of the enemy, and considering all the circumstances connected with its retention, as they appear in the papers, and in the evidence before the House, this House is of opinion that no blame should be imputed to His Majesty's ministers for not having at an earlier period advised its evacuation."

The House adjourned to the 29th, on which day Mr. Canning, Captain Parker, and Mr. William Fitzgerald opposed the original resolutions; and General Tarleton, Lord F. Osborne, Lord George Grenville, and Mr. Whitbread supported them. They contended that the measure was impracticable and extravagant. Ministers were ignorant of the state and of the defence of the country, and even of the navigation of the river Scheldt. That their indifference about the lives of their fellow-countrymen was culpable in the extreme; and if any proof was wanting, it was but too fully established by the retention of a pestilential island, contrary to the opinion of the medical men and military officers, and for no purpose whatever except to cover their disgrace.

Mr. GRATTAN declared his reluctance to enter into any contrast between the military enterprizes of His Majesty's Government, and those operations of military policy con-

ducted under the administration of the great Lord Chatham. He would at once proceed to the immediate discussion of the great question before them, and try it upon its merits as detailed in the evidence collected at their bar. It was idle to assert that, in viewing the policy of the late expedition, much was obtained by the conquest of Flushing. Would the right honourable gentlemen opposite contend, that for that acquisition alone such an armament should have been sent out? If they did, he would in answer tell them, that for such an object the sacrifice of so many lives, and of so much treasure, was unwarrantable. But it is averred, in defence of the detention of that pestilential island, that Sir Richard Strachan had conjured the government not to issue orders for its abandonment until he should have a personal communication with them. Let us, for the purpose of duly estimating the authority of that officer upon that point, take into our consideration the whole of his expressed opinions. It was true, that he did write to the Admiralty in the manner specified. But what was his final impression upon that subject? Did he not tell you, at the bar, that if he had calculated the incidental expence, and the increasing sickness, he could not have thought the detention advisable? That information the government must have had in their possession when they received the letter of the gallant admiral, and therefore it was a most idle paradox to fortify their conduct in continuing a British army in that scene of contagion, upon the unexplained desire even of such an officer.

A right honourable gentleman (Mr. Rose), had endeavoured to establish the inference, that it was wise to have attempted the conquest of the Isle of Walcheren, because it had been recommended by Lord Nelson to make such an attempt at a former period with 5000 men. Now, it by no means follows, that though to retain it with five thousand men should be proper, that therefore it was wise, under the present circumstances, to retain it with an army of 20,000 men. Besides, what were the admonitions of Sir Eyre Coote and General Don? Did they not tell His Majesty's government, that it was absolutely necessary to send out a new force, not alone to defend the unprofitable conquest, but to protect from the enemy your dying army in their hospitals? The noble Lord (Castlereagh), late Secretary for the war department, had argued upon the propriety of that policy, which, in the state of Europe, during the late struggle between Austria and France, recommended an armament from that country to operate as a favourable diversion for the former power. In compliance with the dictates of that policy, the late armament

was prepared. It was prepared before the armistice concluded between the two armies in Germany was known in this country, but it did not sail until that event was undeniably certain. Then was it to be contended by the minister, that the course, which was right to pursue before such a state of events was known in this country, was also right to be carried into practice after it was fully ascertained that a most lamentable change had taken place in the situation of our allies — such a change as left no chance for the success of that object, to accomplish which this very expedition was originally planned. That was, in other words, that you should follow up that very course in the event of peace, which you had just decided upon as applicable to a state of war. So much for the strength of that part of the defence, which rested upon the proposed diversion in favour of Austria. There was also another observation of that noble lord, in which he argued that the expedition was justifiable, because the disposeable force of the country happened at that period to be extensive. Now to what length did this argument extend? It extended to this, that because we chance to have unemployed a very large portion of our army and our navy, it is necessary that we should be doing something. No matter how hazardous the enterprize; no matter how unauthorized our policy; the defence of the minister is, that we had such a force, and therefore we ought to get rid of it.

Ministers cannot now shrink from the whole responsibility of this great failure, inasmuch that it has been the sole offspring of the inveterate adherence to their own views. Had they been inclined to accede to the intelligence and information of the officers whom they consulted, it was impossible that they could have ever determined upon such an injudicious and fatal enterprize. Those generals had given no dubious, undecided, answer; there was nothing equivocal in their inferences; but one and all exclaimed against the insanity of the proposed project. It was, however, not to be overlooked, that even those answers had the effect of reaching the country from a more aggravated calamity. The House must recollect that Lord Chatham had stated in his evidence, that it was one of the projects of the government to make the attack upon Antwerp by the route of Ostend. From the mischievous consequences of such an attempt, the country had the good fortune of being protected by the unanimous protest of the five general officers with whom the government advised. They mitigate the temerity of the minister, by the decided firmness of that protest, and at the same time that they saved the whole of the army from

absolute ruin, afforded the most convincing illustration of the doctrine, that, upon military objects, your best dependence is upon the advice and intelligence of military men. Contrasted with the ruinous project by Ostend, the combined operation in the Scheldt had only the comparative advantage of being less impracticable. Such was the opinion of all the generals almost, who were consulted or employed. Some who had their doubts before the sailing of your armament found, when they arrived upon the spot, when they were acquainted with all the local circumstances, those doubts fully confirmed. Lord Rosslyn had stated, in answer to a question, whether the failure was the consequence of the delay, that he did not think this formidable expedition would have at any time succeeded. Sir Wm. Erskine told you, that within a week Antwerp could have been secured against a siege; whilst Lord Chatham, the officer selected by the government to command that expedition, stated not only that he had his doubts, which were borne out by the Admiralty, but that he did not place the fullest confidence in the intelligence which had been communicated to his colleagues. The naval officers also afforded nothing that did not tend to discourage any circumspect government from such a hazardous and desperate project.

But ministers had intelligence of a secret nature from abroad, which had the effect of multiplying the objections of the general officer, and of confirming themselves in the propriety of the policy with which they were originally impressed. What has the report of the secret committee communicated respecting that intelligence? It has given, first, a memoir of the state of Walcheren in the year 1803; secondly, another memoir of the state of the same island, in the year 1805, by a Dutch officer, with notes by Captain Owen. The third is a return of the enemy's forces in that island, anonymous and without any date. And, lastly, a return of the enemy's forces in the vicinity of Antwerp, extracted from a printed French army list, of the year 1808, found in the possession of a French officer, who was taken prisoner in Catalonia. Besides, there were suggestions from a secret person, that, for the defence of Antwerp in case of attack, no reinforcements could be spared from Holland; and on the side of France supplies could not be forwarded before the expiration of a week. Here, then, was the great inducement which engaged ministers to dispatch their formidable armament to the Scheldt. For the attainment of their object, they had the chance, that if they did their business in a week, the French would not be on them; but if not within that time, they must be ruined. Aye; but such stimulating inducements received a considerable increase

of influence from an occurrence of mighty promise, which had a short time before taken place at Rotterdam. Before he would relate that occurrence, it was necessary to state that it was furnished by His Majesty's government, to prove that they had justifiable reasons for expecting that there existed at that period, in Holland, a strong inclination to actual resistance against the tyranny of France. — What, then! was this event so replete with public hope? It was the rescue by a mob, of some boys brought up in a poor-house in Rotterdam, from a party of French soldiers, who were hurrying these boys to the army. Was it possible that any government could think of sending out an expedition of forty thousand men upon the futility of such intelligence as that? There was also some comments on the report of the secret committee upon the information received from a person described to be a young man, of the state of Antwerp, in the year 1803. There was one proof of the accuracy of that source of information, for the same individual, though he acknowledged to have passed through Breda, upon an inquiry whether works were erected there, stated, that if there had they had escaped his observation.

Was it, he would appeal to the House, consistent with the duty which statesmen owe that country whose interests they are bound to protect, to hazard its honour and its security by equipping a powerful armament, and destining it to a most unfortunate point, upon such intelligence as has been described! It might be perfectly true, that, on the 17th of July, Antwerp might not have had a very considerable garrison; but that, on the 8th of the succeeding August, such a force might have been collected from nineteen garrison towns in its vicinity, as would have insured the complete defeat of your army. This was an inference not founded, as the noble lord would have it, upon the nature of the project, but resting upon the nature of the evidence elicited at the bar. For what confidence can that House now place in the communications upon which ministers acted, when every stage of the expedition confirmed their falsehood. Cadsand, they were told, was without troops, and Lillo not in a state of defence. Lord Huntley found in Cadsand 2000 men to oppose his debarkation, and heard that the whole force of the enemy amounted to 7000. What said Sir Richard Strachan at the bar? He told you that, with respect to the state of both, he found himself deceived. It was true that, with respect to Antwerp, General Brownrigg had endeavoured to prove the project practicable, by showing that, under circumstances, he could have carried it into execution. But in answer to this alleged practicability, he would ask why, if the attack upon Antwerp

was thus easy and obvious, was not Lord Chatham brought to trial for the failure? How was it that, if 17,000 men could succeed against the fortified town of Flushing, containing a garrison of near 10,000 men, an army exceeding 20,000 men, could fail in their attempt upon Antwerp, without a garrison, with guns dismounted, and perfectly unaware, as ministers say, of the invasion of an enemy? Was it to be understood that the local difficulties were to swell into importance, when they were to justify the retreat of the army, but were to dwindle into trifles when brought forward to exonerate the minister? Upon what fair presumption then can the minister call upon that House to regulate its decision by a reliance upon evidence which it knows to be false, and to neglect evidence which it must feel to be true. It must feel that it has been proved, that, in every part of the proposed arrangement, the result falsified the intelligence upon which the attempt was made. But whilst it falsified the grounds upon which the minister rested, it realized every prediction of the men who predicted it.

The history of that expedition, though short, was lamentably decisive. It sailed at the period, when, as predicted by Sir Home Popham, the foul weather began, and the elements were in hostility. It sailed after the armistice had been concluded between Austria and France; at a time when the fortune of war had decided the fate of your ally; when, if they had had the calamity of lending an ear to your recommendation to renew hostilities, the measure of her miseries would have been filled up, and the hopes of her recovery blasted for ever. Why should this country have put to hazard even the accidental revival of her unfortunate ally? With what consistency can the right honourable gentleman defend this diversion, which they say afforded to Austria the chance of recovery from its misfortunes, at the same time, and in the same breath, that they argue against the propriety of having sent a force into the north of Germany, with a view of assisting the numerous insurgents then in arms? Why, say they, should we here encourage those to an ineffectual resistance to the power of France, only to subject them to more aggravated oppression? Why then endeavour to allure Austria after her fall to the renewal of a struggle which would have for ever sealed her subjugation? Behold then the prospects under which this most calamitous armament left your ports. The season changed; the elements adverse; your ally, for whom the diversion was to be made, discomfited and ruined; and suing for terms of peace with the conqueror in their capital, whilst pestilence and plague were awaiting the arrival of your armada, to commence with ravenous appetite their contagious

warfare against our gallant defenders. But the authors of these calamities contend, that this House should not try, by mechanic rules, the unmeasurable spirit of the British heart. They appeal to the feats of our ancestors, and to the glories of our history, to palliate the effects of ministerial temerity and ignorance. Do they forget, that when that spirit was excited, when those glories were displayed, they were directed against the ancient enemy of their name? It was in the hard-fought battles with battalions of France or Spain, that Britain obtained her proud pre-eminence, not in the inglorious struggle with pestilence and plague. Shall, then, a ministry, responsible for such calamities, find excuse in an appeal to the history of our courage? Is this excuse to be allowed to men who continued, amidst disease and putrefaction, an army of twenty thousand men, at the very same period that they had advices, that in another quarter of the world, in Spain, the ranks of our heroes were hourly thinning by the progress also of an epidemic malady? In my conception of public delinquency, there can be no conduct more reprehensible, than that of His Majesty's ministers, except indeed the conduct of this House, if it should be so forgetful of its duties, as not to condemn them. This House has lately censured Lord Chatham, for an attempt to set aside the responsibility of ministers; let it then take care, that its conduct upon this occasion does not tend to establish ministerial impunity. Decided as I feel upon their misconduct, I give my most sincere support to the resolutions originally proposed by my noble friend.

The debate was then adjourned to the 30th, on which day it was resumed, and Lord Porchester's motion was supported by Sir Thomas Turton, Sir Francis Burdett, Mr. Windham, Mr. Tierney, and Mr. Brougham. It was opposed by General Loftus, Mr. Bathurst, the Chancellor of the Exchequer (Mr. Percival), Mr. R. Dundas, and Mr. Robert Peel. They represented the possession of the Island of Walcheren as an object of great importance, that it was necessary to make a diversion in favour of the allies, so as to draw off the French forces from Germany: the sickness occasioned by the climate, was a calamity against which no ministers could provide. The House then divided on Lord Porchester's resolutions: for the resolutions 227, against them 275; Majority 48. A division took place on the resolution of General Crauford, Ayes 272, Noes 232; Majority 40.

Another division took place on the last resolution of General Crauford, declaratory of the approbation of the House in the retention of Walcheren, and consequently approving the conduct of ministers in that respect: Ayes 253, Noes, 232; Majority for ministers 21.

Tellers for the Ayes, Sir George Hill and Mr. Wallace.

Noes, Sir George Warrender and Mr. W. Wynne.

TITHES IN IRELAND.

MR. PARNELL MOVES FOR A SELECT COMMITTEE, TO INQUIRE INTO
THE STATE OF TITHES IN IRELAND.

April 13. 1810.

MR. PARNELL desired, that the petition presented to the House against tithes, in 1808, might be entered as read; he then stated the grievances occasioned by the system of tithes in Ireland; he complained of it as injurious to the clergy, and as unjust towards the people; he conceived that tithes were in a great degree the cause of the disturbances which had taken place in Ireland. The people of Ireland were led to believe; that relief from tithes would have followed the measure of union. Mr. Pitt held out this, as an inducement to the people of that country to submit to the measure. He (Mr. Parnell) recommended the minister not to suffer their hopes to be disappointed; but to show them, that England was ready to fulfil the engagements, by which the measure of union was carried. He moved, "That a select Committee be appointed, to enquire into the manner in which tithes are collected in Ireland; and such other matters relating to the levying and collecting of tithes in that country, as they shall judge it proper to direct their attention to, and to report their opinion thereon." The measure was opposed by Mr. Wellesley Pole, Mr. Leslie Foster, Doctor Duigenan, the Chancellor of the Exchequer, (Mr. Vansittart,) and Sir George Hill. It was supported by Mr. Hutchinson, Mr. Wilberforce, General Matthew, the knight of Kerry, (Mr. Maurice Fitzgerald, Mr. Vesey Fitzgerald, and Sir John Newport, who said, that if expectations of remedy for such grievances had not been held out at the time of the union, that measure would not have been so easily accomplished. A commutation of tithes had been promised at that period; there had been no written bond, but there was that which was an equivalent in the mind of men of honour: prospects were held out in various directions, and promises made by the highest authority, that a commutation of tithes would be one of the first consequences of the union. These promises he could assert had reconciled many to the adoption of that measure. The same miserable expedient, however, might be attempted, with regard to tithes, as had been resorted to with respect to the Catholics. He could prove at the bar, as he had before offered, that those pledges had been actually made; he could indeed show, by irrefragable testimony, how the noble lord (Castlereagh) had managed the business; how the Catholics had received a solemn promise in one room, while a different promise was made to the Protestants

in another; and how the promises to both had been grossly violated. How the noble lord

“ Kept the word of promise to the ear,
And broke it to the hope.”

Mr. GRATTAN said, that he had for a considerable time entertained the same opinion upon the oppressive nature of levying tithes in Ireland, and that he had not in all that time heard one argument that could prevail on him to alter that opinion. He was more and more convinced of the propriety, of the necessity, and of the practicability of a commutation. It was not the commutation that was impracticable, but it was the strict levy of the tithe that was so. The Irish clergy ought not to attempt to levy a tenth of Irish produce, because the measure itself was an impossibility: they could not do it; and what was more, they would destroy themselves by attempting it; the attempt would involve their destruction as a corporation. But were it practicable, would it be expedient? Let the church take the tenth of the national wealth, and what do either the country or the corporation gain? The church may become too rich for devotion, and then a comparison will naturally grow out of the wealth of the established clergy, and the poverty of the tolerated; the one will have its odium, and the other will have its praise; the odium and the praise being both popular, may be equally excessive, but not, on that account, the less mischievous. He did not wish to touch the present income of the church; he would make it the basis of any arrangement that was to be proposed.

Tithes, though abolished, would not affect an income derived from a different source. The country was able to provide for their established clergy; unless gentlemen would say that it was easy to provide for the moderation of the Catholic clergymen, but impossible to provide for the hungry ambition of the Protestant, who would listen to no other commutation than that of a tenth for a tenth. But that would not be said; he would not say it; for he could speak from knowledge in testimony of the moderation of the majority of the Irish Protestant clergy. There were a few whom he found to be sufficiently acute, furnished with a quick scent in the pursuit of clerical profits. They were, however, but few; the generality were of a different order. But the tithe-proctor was of another species, and another stamp, a public factor of public rapine; he extended beyond himself the infamy of his galling and griping character. The church suffered from the officious ministry of those sordid harpies. The tithe-proctor cannot

help being a tithe-proctor. He only follows his nature when he grinds. But the clergy should be removed to a jealous distance from the contagion of such a connection. I am for going into a committee, if it was only to show the Irish public that their interests are not wholly indifferent to the House.

The House divided: for the Committee 48; against it 69: Majority 21.

Tellers for the Ayes, Mr. Parnell and the knight of Kerry (Mr. M. Fitzgerald).

Noes, Sir George Hill and Mr. Leslie Foster.

ROMAN CATHOLICS.

MR. GRATTAN MOVES FOR A COMMITTEE ON THE ROMAN CATHOLIC PETITION.

May 18. 1810.

ON this day Mr. Grattan brought forward the Catholic question, and desired, That several petitions from the Roman Catholics of Ireland should be read; which being done by the clerk, he spoke as follows:

He said, that he was always happy to keep open a communication between the Parliament and the people, and particularly anxious that an arrangement with the Catholics should be contemplated as practicable; that he stated his intention to rest his motion on two grounds, domestic nomination and civil capacities. With regard to the former, he considered the proposition as perfectly compatible with the rights of the Catholic church. Domestic nomination, obtained with the consent of the Pope, whether placed in the chapter or the Catholic bishops, did not affect the Pope's authority of investiture of institution, or any of his spiritual functions: it is what has taken place in most Catholic countries; it has taken place in Protestant ones; it was part of a proposition of the Irish Catholic bishops, in 1799; and it is at present the practical constitution of the Irish Catholic church, for in general the Irish Catholic church nominates. This proposition will be rendered the more necessary if the veto be withheld, otherwise there would be no domestic check on a foreign, and perhaps a French, appointment of Irish bishops. Let me suppose the Pope to be made by Buonaparte, to be a French subject, and to nominate by his direc-

tion Catholic bishops for Ireland. If under that circumstance an invasion should happen, I wish to know what would be our situation with French troops and French bishops in our country. The people of England may say to the Irish, follow your faith, we do not understand your religion; but there is one religion which we do understand, and which should be common to both of us, a perpetual separation from the politics of France; this should be our common faith; without it, no Protestant is safe, and with it no Catholic is dangerous. The Catholics of Tipperary have answered that call, and agree; the Catholics of Kildare have done the same; the Catholic clergy, on consideration, cannot hesitate, because it is doing no more than has been done, and is now done in Catholic countries, and was proposed in 1799 by themselves.

With regard to the second part of the subject, I beg to premise some general rules. And first, the legislature has no right (I speak of justice, not power) to make partial laws, or a different code for different parts of the same community. Again, the legislature cannot, in justice, make arbitrary laws, or disabling statutes on account of accidental differences. Again, the legislature has no right to punish the operations of the mind, for she has no right to know them. Again, the legislature has no right to punish religion, or that relationship which man holds to his God independent of society. In answer to this, it is said, that the Catholic code does not come within these descriptions, because the Catholic religion is connected with disaffection. Let us bring the objection to the test, and suppose a Catholic indicted for treason, and that the counsel for the prosecution tendered in proof that he had committed the offences which the disqualifying oath abjures; namely, that he paid adoration to the Virgin Mary, received the wafer as the real presence, and considered the Pope as the best interpreter of the Scriptures. Let me suppose the counsel, derided for such an attempt, should make another essay, and tender, as evidence of treason, the canons of the council of Lateran. Such an advocate would be laughed out of Westminster Hall; or the judge, who suffered such evidence to go to a jury, would be removed and punished: and yet this very evidence, for the tender of which, against a single man a lawyer would be scorned, and for the admission of which a judge would be punished, is the ground on which we impose a code of disabilities, not on an individual, but on the fourth part of the community and their generation.

I will abridge the charge against the Catholics: it is nearly as follows; namely, that they believe that the Pope has a deposing power, and, in this country, a temporal power; that

they hold the doctrine of, no faith with heretics; that they believe that the Pope is infallible; that they hold that he has a power to absolve from moral obligation; and that they are hostile to the establishments in church, state, and property.

To establish this monstrous libel, the framers have brought no proof whatever; and to disestablish these charges, are given three answers: 1st, The reply of the six universities; 2dly, The oath of the Catholics; and 3dly, The impossibility of the truth of the charges. With regard to the universities, three questions were proposed; namely, whether the Pope or cardinals had, in these countries, any temporal power? whether they had a deposing power? and, whether the Catholic church maintained, that with relation to heretics no faith was to be regarded? The six universities (those of Salamanca, Louvain, Paris, Valadolid, Douay, and Alcalá) distinctly and indignantly answer, that the Pope and cardinals have, in these countries, no temporal power—have no deposing power; and that the supposition of the doctrine of no faith with heretics, is equally false, injurious, and abominable.

The second answer to the charges is the oath of 1793, proposed and enacted by the Irish Parliament, which abjures the temporal power of the Pope, his dispensing power, the doctrine of no faith with heretics; abjures the Pope's infallibility, as an article of the Catholic faith: and swears the Catholic to the support of the Protestant state, church, and property. This oath has been taken by the Catholics generally, and is conclusive on the Protestant who made it a test of his affection, and on the Catholic, by whom that test has been taken.

The third answer regards the impossibility of the truth of the charges; for they amount to a criminality, which would have rendered the Catholic incapable of civil government or foreign relationship; it amounts to a transfer of allegiance, and a dissolution of the elements of human society. The existence of society, and of government, in Catholic nations, is the practical answer. But there is another answer, more conclusive and authoritative; that is to say, that the charge is irreconcilable to the truth of the Christian religion: it supposes the Catholic to be more depraved than either pagan or idolater. But the Catholics are by far the majority of the Christians; it would follow, that the majority of the worshippers of Christ are worse than the worshippers of Jove, or of Mahomet. But that is not all; they are, according to this charge, rendered thus execrable by their religion: it would follow, that the design of Christianity had been defeated; that omniscience had been blind; omnipotence baffled; and that what we call redemption, was the increase of sin and decrease

of salvation : that is to say, that the Christian religion is not divine. They who make the charge, must therefore abandon their argument or their religion. No, it is replied, it is not the Catholic religion, but the Irish Catholic, we object to. What will an Irishman say to this? Will he become a false witness against his country? Well, according to this, the religion is acquitted, and we must search for the source of censure in physical or moral causes. But there is no physical cause producing moral depravity: God punishes, but he does not corrupt. We have no idea of a moral pestilence, least of all of a party plague, which should visit the house of the Catholic, and obediently retire from that of the Protestant, living in the same vicinity: such a supposition is nonsense. The cause cannot be physical, it must be moral, therefore; that is to say, it must be the laws: it cannot be wealth that has caused this perversity in Ireland; it must be the penal laws and penal government.

It seems, then, the charge goes not against the Catholics, but against your system of governing them; and pronounces, that you have been in possession of Ireland for 500 years, and that the result of your connection has been, the unparalleled depravity of the inhabitants. However untrue the charge may be, the general system is the ground of it; it is the ground of whatever alienation towards this country may be supposed to harbour in the minds of the Irish Catholics: or do you suppose it is the soil of Ireland, or the air, or the eucharist, that produce that conclusion; and not the laws, that took from the Catholics their land, their arms, and their civil liberty. The laws, or the penal system, are a partial attainder of the people in mass, not on account of acts, but on an allegation of character; which character is not proved, is not true, and has no possibility of truth, except such as may arise from oppression.

I conclude this part of the subject by observing, that there is nothing either in the Catholic religion, or in the composition of the Irish Catholics, that warrants the objection. We are told we are to look for that objection in the fundamental laws of England, and in the oath of the King. It is late, very late, to tell us this; before the union we should have known it. What, have you taken away the Irish Parliament, and then do you tell the Irish Catholics that by the fundamental laws of the land, they must be excluded from yours. Did Mr. Pitt think thus when he held out that expectation? did his cabinet? Come, let us examine the laws alluded to; namely, the declaration of right, and the limitation of the descent of the crown. I bow to these sacred instruments. The

declaration of right; (it is a modest document of intelligible liberty,) is founded on two great propositions, that civil and religious liberty is the inheritance of the people. Second, that the violation of this inheritance is a forfeiture of the crown. I see here no Catholic disability. We will send for the other great instrument, the limitation of the crown; it is a limitation of the crown to certain descriptions of persons being Protestants, in consequence of a forfeiture by the preceding family, incurred for the attempt to take from the subject his civil and religious liberty. The objection suggests, that the words being Protestant, import not merely that no Catholic should be a king, but that no Catholic should be a free subject; and that being rendered incapable of the crown, the Catholics were *ex vi termini*, rendered incapable of enjoying civil capacities. This interpretation I submit to be inadmissible; it raises a code of disability by implication; it confounds two powers which are essentially distinct; the power of limiting the descent of the crown, and a power of destroying the inheritance of the people. It makes the act of settlement, with regard to the Catholic and his posterity, commit the very violation for which it deprives the house of Stuart of the throne, and at once transfers his allegiance and takes away his birthright.

I do acknowledge that the oath taken by members serving in Parliament, is a part of the act, but I deny it to be a fundamental part thereof. First, because the fundamental parts of that act are the rights of the subjects, but the clauses setting forth their rights, are only declaratory of the subjects' rights, obtained by your Catholic ancestors, and therefore cannot contain any thing against the civil rights of their posterity. Again I beg to observe that the oath in question has no connection with any of those rights, either in time or principle, but was introduced in the 30th of Charles II. at the time of the invention of the Catholic plot, and founded on the temper and fury of that time. The Catholic plot was a fabrication; the executions under the pretence of that plot were murders, the disqualifying oath was the companion of that fabrication, and those murders dictated by the same spirit and in the same fury. I therefore submit, that the disqualifying oath is no part of the fundamental laws of England.

The next objection is to be found in the oath of the King. The words on which the objection is raised, are, "I will preserve the Protestant reformed religion, as by law established." The comment is, that by law established is meant law not to be altered; and that any alteration of that law, to favour the Catholic, would endanger the Protestant church. This inter-

pretation, in every shape and reference, I hold to be destitute of reason and justice: it supposes the King to be sworn in his legislative capacity, which is a false supposition; it supposes the oath of the King to be intended as a check on the advice of his two Houses of Parliament — another false supposition; it supposes the laws regarding the different religions in these countries to be, what indeed the rights of the people are, and what laws (except such as are declaratory of those rights) cannot be, irrevocable. A proviso in a statute, that a law should not be repealed, is void; the legislature has not the power to make it. The comment inverts the order of things: it makes rights revocable, and penalties everlasting. Further, this comment takes from the jurisdiction of Parliament the whole code of laws respecting the different religions that exist in the kingdom, and of course disinherits the legislature of its supreme power. Further, it supposes the Protestant church to rest on pains and penalties inflicted on the professors of another religion; that is to say, it rests the word of God on an act of power, and makes what is a scandal to religion the support of the church. And, finally, it supposes the chief magistrate to have made a covenant against the civil liberties of a great portion of his subjects, and to have called on his God to witness the horrid obligation.

I need not observe, how often and how meritoriously the oath, as so interpreted, has been violated; but I beg to remind the House, that the strong acts against the Catholics were passed after this oath was prescribed, namely, in the reign of Anne; and then the interpretation must be, “I will preserve the law regarding the church, not unaltered, but unmitigated.” And then the comment on the oath amounts to this, that the King is sworn, not only against the franchises of his people, but the mildness of his religion. Here, then, are produced against the Catholic claims, two oaths: the one founded on the madness of the time; the other, on an interpretation which supposes the King of a free government and a merciful faith, to have sworn against the freedom of his subjects and the merciful quality of his religion. We are, however, stopped in this argument by two paradoxes: 1st, That the Catholics do not desire civil rights; 2dly, That they do not desire equality. We are told this without evidence, against the evidence of innumerable petitions, and against the natural feelings of men. Let us try that argument on ourselves: let us propose to the Protestants to renounce their employments, and to give up their seats in Parliament — what say you? Am I to understand, then, that the Catholic spirit is broken, and that our penal code

has robbed them of moral elevation? It is added, franchises would be of no use to them; and that they are too poor and miserable to avail themselves of civil capacities: that is to say to them, we have destroyed your fortunes, we have broken your hearts, and all we now expect is, that you will lay down your lives in our service. Sir, the laws have not been so bad as this would make them: the laws and the government have destroyed neither the spirit nor the property of the Catholic. The Catholics do, I believe, most exceedingly wish for the franchises in question, and are rich enough and able enough to make use of them. The landed interest of the Catholics is considerable: do you imagine that interest does not feel the exclusion from Parliament, and from the state? The commercial interest is considerable; do you imagine that interest does not feel the exclusion from the bank — from the corporations? The commonalty — the peasantry; do you imagine they do not sympathize with their fraternity? do you imagine they do not feel for themselves — not feel the torrents of abuse uttered against them and their brethren? When gentlemen talked of asking the peasant, whether he cared for emancipation? they used a phrase which he would not have understood; but if you had asked him, Whether he felt the distinction made between the Protestant and the Catholic? he would have given a rapid answer in the affirmative; and he would have been able to explain that answer by reciting his sufferings: in short, he cannot be a chancellor, perhaps, but the peasant can be a *man*; and the law which blemishes his community, and sets another sect over him, degrades him from that station. Repeal the law, and you restore him to his place. You give to the Catholic peasant protection, to the Catholic gentleman hope, and to yourselves a people.

I have more objections to this argument. It is a contumelious way of talking to your fellow-subjects, as if they were of a different and inferior nature; and it is also an injurious way of talking; for in teaching them, you teach yourselves to depreciate the value of your own franchises; and you become an apostle preaching against your own liberties, and sophisticate yourself out of the passions by which those liberties are to be defended.

But we are told that all this supposition of Catholic indifference is a mistake, and that instead of this, the Catholics do most ardently desire situations in Parliament and in the state; and that they would use both to overturn the settlement of property, and the establishment of the church. I do allow self-defence to be a legitimate cause of restriction; but the danger must be evident. Let us investigate the dan-

ger. Ere that the Catholics can by a law repeal the settlement of property, they must be the Parliament. Let us suppose that difficulty overcome, and let us consider how that Parliament would act on property. First, that Parliament must possess the property of the country, otherwise it could not be the Parliament. Again, the Catholics have made great purchases since 1778, founded on Protestant titles; and the Catholic tenantry hold under Protestant landlords, in a very great extent. The bulk, therefore, of Catholic property, depends on Protestant titles. The danger alleged arises, then, from two impossibilities: 1st, That the Catholics will be the Parliament; 2ndly, That they will then use their power to destroy their property. I do not ask whether this danger be possible, but I ask whether it be that imminent and obvious danger which can justify us to take away the franchise of the Catholic, to endanger our own, and to make the inheritance of our property incompatible with the freedom of our fellow-subjects. Let us reduce our policy to an act of parliament, and make our situation the recital of the statute. It would run thus: "Whereas the different powers of the continent of Europe have yielded to France, and whereas we have no support but in the people of these islands; be it enacted that one-fourth of the same be disqualified!" Or, let us suppose a ship of war at sea, with the French in view, and that before the engagement some learned gentleman should desire to speak to the captain, and should address him as follows: "Sir, one hundred years ago, the papists fought against us at the Boyne; four hundred years ago, the Papists broke the passport of John Huss; and six hundred years ago the Papists voted canons of Lateran, and denounced the Albigenses; numbers of your seamen are Papists, and, therefore, for the safety of the ship, throw the crew overboard." These islands are that vessel — the ark in the French deluge. In it the living creatures, not yet swallowed up by France, are assembled, and you propose, by your penal code, to make them drown one another.

As to the danger of religion, that danger, like the other, stands without proof. Let us contemplate the state of the church, and then let us speak of its danger. The Protestant church is the established church of Ireland, the people Catholic; that Catholic people pay that church: the objection is, a proposition that we should disfranchise those Catholics, the better to secure their payment of that church. It is a proposition in breach of a moral duty, against the people by whom the church is paid, and the principles of that religion for which that church is supported: it is a proposition that

sacrifices to the imaginary danger of the ecclesiastical establishment, not only the people, but the Deity, that is, his attributes; and supposes that holy and pious corporation to do what it could not conceive, still less perpetrate, to shoulder God out of the church, and the people out of the constitution. Let us try the sanctity of this policy by making it part of our prayers; and let us suppose a clergyman thus to recite the Christian duties, saying, "do as you would be done by, love your enemies, love your neighbours as yourselves, and so may God incline your hearts to disfranchise one another." I am not surprised that a philosopher should have rested the world on an elephant, but I am surprised that you should laugh at that philosopher, and should exceed his folly, and rest not the globe, but the Maker of it, on the mischief we do one another, and should think it necessary to crutch up Omnipotence by penal laws, and should contemplate the Deity as a petty potentate of a subsidised dominion, some Italian prince, or German duke, kept alive by act of parliament. The elephant, the tortoise, and the two oaths — give us them, and all is safe, the creation and the creator; take them away, and down goes the universe. See the united wisdom of the old sage and the modern politician!

The refusal rests on six wicked propositions:

1st, That the majority of the followers of Christ are the worst of the human species, and that they are rendered thus bad by their religion.

2nd, That the result of the British government in Ireland has been, the unqualified depravity of her inhabitants.

3rd, That the fundamental laws of England are incompatible with the civil privileges of the majority of the Irish.

4th, That their first magistrate is sworn against their rights.

5th, That the Protestants of Ireland have gotten a great proportion of her land, and should therefore disqualify a great proportion of her people.

6th, That the Protestant church is paid in a great proportion by the Catholics, and should, for that reason, deprive them of their civil privileges.

On the truth of such monstrous propositions, it is supposed we are warranted to commit, on the principles of law, four capital violations; namely, to continue laws which are partial laws, laws that are arbitrary, laws that punish opinions, and laws that punish religion. Six monstrous propositions, and four palpable violations, to do what? to ruin your empire: for what else but ruin is that policy which divides your people in the face of your enemy? But if gentlemen think this policy, and if you were to send to hell for principles, or to

Bedlam for discretion, you would not find worse: wise and virtuous in theory, see what it has proved to be in practice; let us see what it has done in Ireland. The close of the 17th century was the commencement of the penal code; that was the age in which a law passed in England to deprive Ireland of her trade, to prohibit in Ireland the export of her woollen trade; that was the age in which a law passed in England to subject the Irish, concerned in that export, to be taken from Ireland, and tried, fined, and confined in England; that was the age in which a bill passed to deprive the Irish Lords of their judicature, and to establish the power of the British Parliament to make law for Ireland.

Having thus disposed of her liberty, see the effect of this policy on her fortunes. After an experiment of near eighty years (a time long enough for the exercise of all its virtues), that is, about 1779, the people and the government were both ruined. The Irish government could not pay its establishments; its establishment at that time was remarkably low, for 4000 of our troops were taken off the Irish list. The Irish government could not pay that reduced establishment; the Irish government borrowed 50,000*l.* from England to sustain itself; the Irish government borrowed 20,000*l.* from a private gentleman of that country, to give the army bread; the Irish government consult the commissioners of the revenue in that distress; the commissioners answer—their answer is remarkable: to a question put by the government touching the cause of our distress, they reply, that among other causes, one was to be found in the following fact, namely, that the Irish had ceased to quit the country, and that the American war had stopped emigration. The cause was as the commissioners had mentioned: we could not feed our inhabitants, and we banished them; we were restrained from the export of our manufactures, and we found relief by exporting our people. The Irish government then assemble the Irish Parliament: the Parliament reply, that nothing but a free trade could save the nation from impending ruin; a nation possessed of above seventeen millions of acres, a temperate climate, a fertile soil, without the visitation of plague, pestilence or famine, and without any enemy in the country except her laws, precipitated on immediate ruin! Such were the effects of the penal code and its concomitants, or rather such were the judgments of God on the land that had passed such a code—judgments inflicted by her Maker, and declared by her Parliament.

Turn now to the age of the repeal of those laws. It began in 1778: about that time, when every other country advanced in riches, ours had come on so slowly, as not to be able to

support her government, or feed her people. The repeal began in 1778; the system had been attacked before. My old and inestimable friend, Sir Hercules Langrishe, (with whose name I wish to record my own,) had (Mr. Burke, with truth, observes) thrown his youthful spear at the horrid fabric—he had refused to pay adoration to the demon that resided therein, and had unsainted the diabolical spirit in his own pandæmonium; but the great assault, in which he took a leading part, was in 1778 and 1782: the rights of property and the rights of religion were then in a great measure restored. The grant fell short; but the gratitude of the Catholics at that time outran the provisions of the statutes, gave the Parliament a credit for a future complete emancipation, and the country the strength of complete unanimity.

That was the age of the repeal of the penal code, and in that age the personal liberty of the subject was secured by an *habeas corpus* act; the justice of the country was secured by a judges' bill (they held their offices before during pleasure); the army of the country was made parliamentary by an Irish mutiny bill; it had been before imposed on the country without law, and against it: the revenues of the country were made annual; they had been, in a great proportion, the perpetual inheritance of the crown: the trade of the country became free; it had been before, by English acts, restrained and annihilated: the trade of the country with the British colonies became open and direct; it had been, in the essential articles, interdicted: the power of the English privy council, to originate and alter Irish bills, was annihilated; the power of the Irish privy council, to alter, originate, and suppress Irish bills, was annihilated; the power of the courts of England, to try Irish appeals, was annihilated; the power of the British Parliament, to make law for Ireland, was relinquished; the power of the Irish Parliament, who before could only originate petitions, not bills, was restored in full, complete, and exclusive authority.

Nor were these acquisitions a barren liberty. The exports of Ireland increased above one half; her population near a third; and her agriculture, that was not before able to feed a smaller number of inhabitants (for we were fed by corn from England), supplied an increased population of one million, and sent a redundancy to Great Britain. The courtier was astonished; he had contemplated such prospects as the frenzy of the enthusiast; he read that frenzy registered in the public accounts.

Nor was all this wealth slow in coming. The nation started into manhood at once; young Ireland came forth like a giant,

rejoicing in her strength. In less than ten years was this increase accomplished: in 1782 we exported 3,300,000*l*.; in 1792, what would now be valued at near 11,000,000*l*.; in 1784, 24,000,000 of yards of linen; and in 1792, 45,000,000 of yards of linen. Public prosperity so crowded on the heel of the statute, that the powers of nature seemed to stand at the right hand of Parliament.

The leading causes of this were as evident as the fact: the country became cultivated, because the laws that deprived the Catholic of an interest in the soil were repealed; and an opportunity was given to the operation of her corn laws; her trade increased, because the prohibitions on her trade were removed; and the prohibitions were removed, because she asserted her liberty; and she asserted her liberty, because she suspended her religious animosity. Unanimity shut the gates of strife, and Providence opened the gates of commerce. Providence had whipped the country, through a century, with her own acts of parliament, and blessed her on the repeal of them; and so connected were the penal laws and the poverty, the crime and the punishment, that it did not seem to be a series of cause and effect; but a superior Power standing in the island, *visible*, inflicting with its lash and exhorting with its bounty, and suggesting, by the indelible lessons of woe and weal, to my country how to get her liberty, and yours how to secure her empire.

I have drawn example from my own country; I pass over others. I might — I do not detail the gloomy catalogue of despotic governments, whose yoke has been established by religious discord; or of empires, like that of the Greeks, erased; or of nations, like your own at certain periods, stung to madness by that inexorable fury. I avoid the dungeon of theology, the madhouse of casuistry, and the noisy tribe of the sectarians; nor do I dwell on their bookish ignorance, and their vulgar turbulence, nor tell with what fury they fought, with what feebleness they reasoned; and how they ever abused their victories over each other; trampled on one another's liberty, abandoned their own; forgot their God, and stated the wildest revenge with all the spiteful cant of hypocritical devotion. They did not want their king-cry, and their church-cry, nor any of that public rant, with which, for political purpose, the public cheat panders the name of his Maker. I pass over the contentious part of the history of my own country; the ashes are yet warm, and I fear to tread on those perilous materials, or to re-kindle a flame in a country where oblivion is patriotism, and concord is salvation; doubting whether I possess the good qualities, certain that I share

all the infirmities, of my nation, I have no right, in another country, to criticise my own, but am obliged by duty, and led by inclination, to defend her, Protestant and Catholic, without distinction, and with unabated fidelity. Sufficient to say, that in her religious contests the different partizans did what all religious partizans ever do, they abused their victory, and they paid the penalty. The Catholics lost their land, the Protestants lost their liberty, and both a free constitution. The times I allude to are past; the religious spirit that inflamed them is past; Bellona has recalled her learned gentlemen of much theology, and much metaphysics; Bedlam has shut her gates upon them; bigotry is now no more than a spent fury. Three hundred years have been sufficient to subdue one miserable madness. The great bodies and establishments that formerly petitioned against the Catholics, have either recalled their thunder, or expressed their approbation. There is not, on your table, a single petition against the Catholics; the city of London has not stirred; the city of Dublin has rejected an anti-catholic address; the university of Dublin has done the same; a great northern Protestant county in Ireland has passed resolutions in their favour. The university of Oxford, in her late distinguished appointment, has marked her approbation of the principles of civil and religious liberty; your pulpit resounds with strains the most liberal, in lessons equally brilliant and profound; the mitre is placable—we recognize, with gratitude, the genuine majesty of the Christian religion. You yourselves, your government and Parliament, have led the way. In 1790 you set up the Popedom; 1791 you established Popery in North America; in 1808 you conveyed the Catholic religion, with all its rites and ceremonies, to South America. In 1809 you sent to Spain and Portugal two armies, to support in both, and in full power, the splendour and the rights of the Romish church. You employed Irishmen and Irish money in these expeditions, and will you now disqualify the Irish for Popery. France out of the question, there is not a Catholic on the globe whom you have not embraced, except your fellow-subjects. To that embrace I now recommend you.

He then moved "That the several petitions of the Roman Catholics of Ireland, which have been presented in this session of Parliament, be referred to a committee."

The motion was seconded by Sir John Cox Hipplesley; and after a very long speech, the House adjourned the consideration of the question to the 25th. On that day it was resumed: when it was opposed by Sir William Scott, Lord Castlereagh, Lord Jocelyn, Mr. Robert Shaw, Mr. Ryder (Secretary), Mr. Canning,

and the Chancellor of the Exchequer (Mr. Percival). It was supported by Mr. Lamb, Sir John Newport, Lord Dursley, Mr. H. A. Herbert, General Mathew, Mr. Whitbread, and Mr. Ponsonby. On the motion of Mr. Hutchinson, the debate was adjourned to the 1st of June; on which day it was resumed; and the motion in favour of the Catholics was supported by Mr. Hutchinson, the Marquis of Tavistock, Colonel Talbot, Mr. Parnell, Sir Ralph Milbank, Mr. Barham, Mr. W. Wynne, Mr. Maurice Fitzgerald (knight of Kerry), Mr. C. Smith, Lord George Grenville, and Mr. Peter Moore. The motion was opposed by Mr. O'Hara, Sir Thomas Turton, Mr. Barnard, Mr. Macnaghten, Captain Parker, Mr. R. S. Dundas, and the Solicitor-general (Mr. Plomer).

Mr. Grattan observed, in reply, that the honourable member, (the Solicitor-general, Mr. Plomer), who had just sat down, had furnished, in favour of appointing a committee, an argument the most decisive. He had totally and entirely misapprehended the resolutions of the Catholics, and, in consequence of that misapprehension, had declared that no arrangement could take place; so, that the two parties, the Protestants and Catholics, were to remain in a state of eternal separation. The mischief of such a supposition is too evident to require explanation, and the grounds for it too futile to require long discussion, but are a very strong and very powerful argument for a Committee to consider these documents, on which a mistake so pernicious has been founded.

I have in my hand the resolution of the Catholic bishops, in which they declare they are ready to yield, for the security of the state, every thing which does not affect the rights or integrity of their church. Here is a ground for arrangement, and an argument for a Committee; but one of the honourable member's ideas, if generally adopted, would indeed render it vain and useless to proceed to a Committee, because he says that there cannot be, and that there is not an instance of a full communication of privilege, where there is not in the body so possessed, an acknowledgment of the *plenum dominum* of the Crown. No Catholic country does make such acknowledgment. Your Catholic ancestors, who obtained the great charter; they who so many times confirmed that charter, made no such acknowledgment. They all acknowledged the spiritual power of the Pope.

The honourable member who preceded him, denies that the frequent disturbances that have taken place in Ireland, have arisen from the penal laws. Certainly tithe, as he himself acknowledges, has been a more operative cause. But I beg to observe, that whatever outrages the Irish have committed, are greatly exaggerated, and that one reason why some of the Irish have not always been so attached to the law is, that the law has

not been attached to the Irish. The laws have been enemies to their religion and their rights, and therefore they have not been friends to the laws.

The honourable gentleman thinks, that the rights in question are no great object to the Catholic body; I differ from him. The withholding those rights degrades the whole Catholic community, and subjects the peasantry to insult and oppression. The right honourable gentleman asks me whether I agree, on this subject, with Lord Grenville and Lord Lansdowne? In return, I ask him, whether he agrees with them, or whether he agrees with his friend on his right side, and his friend on his left; and whether, agreeing with Lord Grenville, he means to vote against him; and dissenting from his friends, he means to vote with them.

With regard to a former administration to which he has alluded, I can only say, that I do not subscribe to his charge. That administration gave up the military Catholic bill, because they could not carry it; and they resigned their offices, because they would not resign their principles; a crime in which they will not have many imitators. The viceroy of Ireland, at that time, seemed to me to have acted an honourable and an honest part. I am glad his qualities are not to die with him, but promise to survive in the instance we have just heard of the noble marquis*, who, good by inheritance, asserts the noble nature of his race, and promises to his country a succession of virtue.

I shall divide the opponents to the motion into two classes, those against the time, and those against the principle; but of the latter class there are scarcely any, so that the principle is generally acceded to. The Roman Catholic religion is then acquitted; it is then allowed there is nothing either in the composition of the Irish, or of their religion, that bar their capacitation; the only thing desired is, security against dangerous influence in the nomination of their clergy, and the security so required, gentlemen have declared, should not go to an influence to be possessed by our government in that nomination, but to a precaution against the nomination by a foreign power. But this precaution the resolution of the Catholic bishops bespeaks; they declare they are ready to give you every security which is consistent with the integrity of their church and their religion. What becomes now of the argument which says, the parties cannot agree; or the abuse heaped on the Catholic body, more especially on the Catholics of Ireland?

An honourable gentleman has asked, whether in the committee I meant to propose the *veto*? I would, in the

* Marquis of Tavistock.

committee, make our propositions to the Catholics, and impose nothing on them that was not perfectly agreeable to them. I have no doubt of their spirit of accommodation to every thing which is necessary for our security; but if we do not go into a committee, neither parties can make any proposition, and therefore I should suggest to the member, who put a question to me, that his instructions are for a committee; for without a committee no part of them whatever can be fulfilled.

Mr. Grattan took notice here of the injustice committed by those who charged the friends of Catholic emancipation with a design to subvert the Catholic clergy. What view could they have in taking such a part? What! to conspire against their widowed and unendowed condition, in order to rob them of their no power — and their no magnificence. He then adverted to the argument which objected to the time, and said, he apprehended that the consent of the Pope would be necessary to any arrangement; that the Pope was now our friend, but if we delayed until there should be a French Pope, we should find a new embarrassment. Had the Catholic question been carried in 1801, or in 1805, or in 1808, there would have been no embarrassment on that head. The gentlemen who say, that had you gone into a committee in 1808, you could not have obtained the *veto* at that time, speak without authority, and without information. The difficulty arises from the delay; and from a continuation of delay, a further difficulty, a difficulty for instance with regard to the nomination, may arise; so that a greater embarrassment would be found to justify the postponement of the question, than to support the present motion.

In adverting to that class who opposed the motion on the principle, he observed, that a right honourable gentleman had said, he did not think the Catholics would, in consequence of civil franchises, be satisfied, but that they would ambition the establishment of their own church, and the overthrow of ours. He founds this objection on imputed character. What evidence of this character? Bishops, Protestant bishops, are held to be tenacious of power; shall we disqualify the Protestant bishops therefore? Presbyterians are held to entertain republican tendencies; unjust, I think, the surmise; but shall we disqualify the Presbyterians? Will you receive such evidence to disqualify a great proportion of your people; and when the right honourable gentleman who comes forth on this subject, is evidence against a people with whom he is not acquainted? Had he been in Ireland, and witnessed the spare habits of the Catholic clergy and their exemplary frugality, or

had he recollected that this very clergy, whose love of magnificence alarms us, have receded from the suggestions of salary, he would not have trembled at their passion for magnificence. But they will learn the lesson, we are told, from the growth of power; and this prophecy is to be received as evidence against the civil rights of a great community; a prophecy tendered by a person to whom that community is unknown. He asked whether any community would be satisfied with half privileges; the Catholics, in 1793, were dissatisfied with bad government and half privileges. He observed, that though the right honourable gentleman would not agree to give more to the Catholics, yet he hoped he would agree that they should enjoy what they had, fully and freely, and therefore should, in the naval and military service, have the free exercise of their religion; he would therefore hope, that no officer should obstruct them. How monstrous and prophane would it be in any officer to do so; as if religion was like the manual, or the Prussian exercise; a military manœuvre, to be done on the principle of uniformity, in which the soldier's God and conscience were perfectly unconnected. If such obstruction should take place, I make no doubt that ministers will interfere; and if they should not, that Parliament will. This appears a subject the more important, if we consider the numbers of Catholic seamen and soldiers. The Irish militia, some regiments of the line, the Irish yeomanry, and the sailors of some ships of the line, are wholly or in a great proportion Catholics. This the recruiting sergeant procures for you, without knowledge either of divinity or politics: that great practical statesman, and that profound practical divine, proceeds without book, and with his fife and drum fills your ranks and your ships with Catholics; he goes on the principle that *sapientia prima stultitia caruisse*. By *stultitia* I do not mean folly; I mean the wisdom of this right honourable gentleman, the divinity of that right honourable gentleman, and their great controversial abilities.

In adverting to the argument of the able civilian who opposed the motion, he observed, that the right honourable member had remarked that religion must be controlled by law. In answer to which he begged to say, that the religious sentiment was not a subject for legal control, and the reason was, because we could not; human legislatures could not make laws for heaven; no more for the truths of religion than for principles of motion. An act of Parliament with regard to the square of the hypothenuse, or with regard to the eucharist, would be equally out of the region of the legislature; but if to preserve religious opinions an establishment should be made,

and that establishment connected with a foreign power, such communication would be a proper subject for the state; but even then the consideration should be, whether that communication was political, and if the communication was with the natural enemy of the country, as in the case of the French emperor, should that happen, then the state would naturally consider such communication, though professedly spiritual, in fact, and in effect, political, and would naturally wish to make an arrangement which should guard the kingdom from such an influence. The right honourable gentleman says, it is impossible to do so; domestic nomination, he specifically says, is impossible. How we do try Catholic allegiance! sometimes we say no Catholic, no true Catholic, can bear true allegiance to a Protestant king; then we say, no true Catholic can submit to domestic nomination, but rather must suffer nomination of their bishops to be made by France. Thus we give Protestant authority for Catholic rebellion; but I must observe, that such cannot be the principles of any divine religion: there cannot be any divine religion that compels the subject to submit to the enemy of his country; and if any professor shall say so, I ask that professor, has there been a revolution in heaven, that he shall come to preach diabolical doctrines, as if God Almighty had abdicated, and Lucifer was on his throne. We know the world to be his work, and if any man contradicts his dispensations here, either by misrepresenting the laws of motion or of morals, we know such a preacher believes the Almighty, to damn his fellow-creatures. But the present question is not left to surmise; the fact is, that the nomination of Catholic is, almost universally, in considerable countries, domestic; the institution and the investiture must be in the Pope, but the nomination, with his consent, may be, and generally is domestic. In old France it was domestic — in Austria — in Russia — in Prussia — in England, with regard to Canada, domestic; nay, more, it is now practically domestic in Ireland; the Catholic bishops, now in Ireland, nominate. The learned member quotes doctor Milner as authority against a *veto*, and against domestic nomination. Dr. Milner proposed both; his propositions, read by my right honourable friend, made the nomination domestic, and he proposed, expressly, a domestic nomination in the Irish Catholic bishops, and he calls them nominators. Speaking of doctor Milner, I beg to say, that I hope the sentiments which I have delivered may not be taken from doctor Milner's publication. In one of his letters, he supposes me to have said that canonical institution was the investiture of a foreign power, with the unqualified and arbitrary right of nomination to a portion of

our magistrates; a representation too extravagant to deserve observation. The right honourable gentleman having thus supposed domestic nomination impossible, and having considered the *veto* impossible also, corrects the danger. How? by disqualifying the laity; but as long as you disqualify the laity, you separate them from England. What then is to be our situation, according to the doctrine of the right honourable gentleman? a clergy connected with France, and a laity separated from England. You think it better to have French bishops in Ireland, than Irish Catholics in Parliament. This is a situation defended on account of its safety; a situation, in fact, of the greatest peril; where the cure aggravates the disorder; where you correct an eventual communication with France, by a separation from England. To shew the better the nature of such a situation, I shall propose to the gentlemen opposing the motion, to lay before them the map of Europe, and let them be the arbiters of their own argument. There is Ireland, here England, and there France; the object must be to connect the Catholics of Ireland with England, and keep them separate from France. To accomplish this, I shall present to those gentlemen two lines, one of communication, and the other of separation. How will they apply them? will they draw the line of communication between France and Ireland, and of separation between Ireland and Great Britain; ecclesiastical communication between the Irish Catholics and France, and political separation between the Irish Catholics and Great Britain. If they draw the lines in that manner, they give up the empire, and if they do not, they renounce their argument.

The House then divided on Mr. Grattan's motion for a Committee: Ayes 109, Noes 213; Majority 104.

Tellers for the Ayes, M. Barham, Mr. Parnell.

Noes, Mr. Long, Solicitor-general.

HIS MAJESTY'S ILLNESS.

December 21. 1810.

ON the first of November, the two Houses of Parliament met in consequence of the King's inability to sign a commission for a further prorogation. No message being delivered from His Majesty's commissioners, the Speaker took the chair. The Chancellor of the Exchequer then informed the House of the malady which affected His Majesty, and moved, "that the House do adjourn to that day fortnight" (the 15th). On which day the House

met, but not in such numbers as was expected. The Chancellor of the Exchequer stated, that the opinion of His Majesty's physicians was, that he was in a state of progressive amendment; and moved, "that the House should adjourn for another fortnight." This was opposed by Sir Francis Burdett, Lord Archibald Hamilton, Sir Samuel Romilly, Mr. Elliott, Mr. Wilberforce, Mr. Bathurst, Mr. Canning, and Mr. Fuller. On a division, the numbers were, for the adjournment 343, against it 58; majority 285. The House then adjourned to the 29th. On which day having assembled, Mr. Secretary Ryder presented the copy of the examination of the physicians attending his majesty, which was taken before the privy council. The paper was received and read: it contained the examinations of Doctors Halford, Heberden, Willis, and Baillie; it stated the incapacity of His Majesty, his mental derangement; but the prospect of his speedy recovery. The Chancellor of the Exchequer then moved, "that the House should adjourn for fourteen days." This was opposed by Mr. Whitbread, Sir Francis Burdett, General Matthew, Mr. Adam, and Mr. Ponsonby, who proposed "the appointment of a committee to examine the physicians on the state of His Majesty's health." It was supported by Mr. Bathurst and Mr. Wilberforce; and on a division, there appeared for the adjournment 233, against it 129. On Mr. Ponsonby's motion for the appointment of a committee to examine the physicians, the numbers were, Ayes 137, Noes 230. The House then adjourned to the 13th of December; on which day, the Chancellor of the Exchequer moved, "for the appointment of a committee to examine the physicians;" which motion was agreed to. The report was presented and read on the 14th; and the Chancellor of the Exchequer moved, "that the House do, on the 20th, resolve itself into a committee of the whole House, to take into consideration the state of the nation." He also stated, that it was his intention, on that day, to submit to the committee resolutions similar to those adopted in 1788; the two first stating His Majesty's indisposition, and the obligation on the House to supply the deficiency in the executive authority; the third, regarding the mode to provide a substitute for the royal authority, by way of bill. Mr. Ponsonby and Mr. Sheridan stated their decided objections to the proposed mode; they instanced the case of the Revolution, on which occasion the House proceeded by address to the Prince of Orange. They also quoted the precedent of the Irish Parliament in 1789, who proceeded by an address to the Prince of Wales, on a similar indisposition of His Majesty. The call of the House was then ordered for the 20th; on which day the House resolved itself into a committee on the state of the nation; and the Chancellor of the Exchequer then proposed his resolutions as follows:

"1. That it appears to this committee, that His Majesty is prevented, by his present indisposition, from coming to His Parliament, and from attending to public business; and that the personal exercise of the Royal Authority by His Majesty is thereby for the present interrupted.

" 2. That it is the opinion of this committee, that it is the right and duty of the Lords spiritual and temporal, and Commons of the United Kingdom of Great Britain and Ireland, now assembled, and lawfully, fully, and freely representing all the estates of the people of these realms, to provide the means of supplying the defect in the personal exercise of the Royal Authority, arising from His Majesty's said indisposition, in such manner as the exigency of the case may appear to them to require.

" 3. That it is the opinion of this committee, that for this purpose, and for maintaining entire the constitutional authority of the King, it is necessary that the said Lords spiritual and temporal, and Commons, of the United Kingdom of Great Britain and Ireland, should determine on the means whereby the royal assent may be given in Parliament to such bill, as may be passed by the two Houses of Parliament, respecting the exercise of the powers and authorities of the crown, in the name and on the behalf of the King, during the continuance of His Majesty's present indisposition."

The two first resolutions were agreed to without a division. The third was opposed by Mr. Ponsonby, who entered into a very able and constitutional statement. He instanced the case of the Convention Parliament, who had proceeded by address; and several other cases, where the deficiency of the Royal Authority had been supplied. He argued, that in proceeding by bill, it was necessary to have the royal assent before the bill could be complete; and, by the law of the land, that assent must be given by the King personally, or by commissioners appointed by letters under the sign manual. His Majesty was not capable of either of these modes; and he therefore concluded by moving that, in place of the third resolution,

" An humble address should be presented to His Royal Highness the Prince of Wales, requesting that he would be graciously pleased to assume and exercise the sovereign authority of these realms, during the continuance of His Majesty's indisposition, and no longer, under the title of Regent of the United Kingdom of Great Britain and Ireland." This was supported by Mr. Adam, Sir Samuel Romilly, Mr. Horner, and Mr. Whitbread. It was opposed by Mr. Canning, the Attorney-general (Sir Vicary Gibbs), the Solicitor-general (Sir Thomas Plomer), and Mr. Croker. On the division, the numbers were, for the third resolution, Ayes 269, Noes 157; Majority 112. On the ensuing day (the 21st), the report was brought up; and, on the motion that the House do agree to the resolutions, Lord William Russel moved "the previous question." It was supported by Sir Francis Burdett, Mr. Wm. Wynne, Mr. Stewart, Mr. Elliott, Mr. Whitbread, Mr. Adam, Sir John Newport, and Mr. Wm. Lamb; they contended that the mode of proceeding by address was the most consonant to the spirit of the constitution; that, in proceeding by bill, the two Houses assumed a power which did not belong to them, when they directed the King's officer to apply the King's seal to a public instrument. They instanced several historical precedents; that

in the time of Henry VI.; that of the Restoration; the Revolution; and the Irish Parliament in 1789. Lord Wm. Russell's motion was opposed by Mr. Stephen, Mr. Yorke, the Chancellor of the Exchequer, Mr. Addington, Mr. Lockhart, and Mr. Wilberforce.

Mr. GRATTAN rose to say a few words on the question before the Committee, and to state briefly the grounds of the vote which he meant to give. The first consideration that presented itself to the mind on this occasion, was, that all the operations of the constitution were suspended by the unhappy calamity that had fallen upon the King. The functions of the royal authority thus suspended temporarily, it followed of course, that the two houses of Parliament should take measures for supplying the deficiency. To the two houses of Parliament, and to no other body of men in the nation, belonged the right and the power to supply the defect of the royal functions, and to make the constitution whole. If that right and that power could belong to any other class of the subjects of this realm, there would be at once an end to the constitution; if they were to devolve upon the society at large, the nation would be reduced to the state of primeval anarchy. The two houses of Parliament, therefore, one representing the nation by hereditary right, the other by delegated authority, alone have the right and the power to provide for the safety of that community they so represent, upon such an emergency. Their obligation was founded upon the comprehensive political maxim, *salus populi suprema lex*. That the community had the right to provide for its own safety, could not be questioned in cases of extremity; but in all cases short of extreme necessity, the two constitutional bodies of representatives of the nation were bound to act upon that general maxim for the salvation of the whole community.

Of the right, then, there was no question. The manner of exercising the right was next to be considered. It was obvious, that the two houses, failing the principal member of the constitution, could have no constitutional power of legislation. The first step then to be taken, was to put themselves in a capacity to legislate by the creation of a third estate, by repairing the defective state of the constitution, by restoring to full vigour the functions of that member which were at present unfortunately suspended, and by making the legislature whole. This would not be an act of legislation, for, to such an act, the two houses were not competent; but an act of power, authorized by the general right of the community to provide for its security.

In the first place, then, they had a power, qualified by

necessity, for supplying the incapacity of the King, supported by the right of the community to preserve the constitution; and, in the next place, they would have an act of Parliament sanctioned by the whole constitution. This was the fair state of the case; and the course to be pursued for the attainment of the desired object was fully borne out, and warranted by the best precedent in history, the precedent of the revolution.

Yet it had been argued, that as precedent only provided for an actual vacancy of the throne, it did not strictly apply to the present case, which was to provide for supplying the incapacity of an existing sovereign. This was a fallacy; because the precedent, which would be applicable to the greater, could not be inapplicable to the lesser necessity. The principle was the same in both; to supply some deficiency of the third branch of the constitution, and whatever may be the difference of degree, there could be no doubt of the equal application of the same principle to both cases. Besides it should not be forgotten, that the precedent of the revolution had been acted upon, had been tried, had stood the test of time, had been cheerfully submitted to by the people, and was devoutly looked up to as the great and permanent foundation of the rights and liberties of the nation. How stood the other precedent, which had been so much relied upon, that of 1788, in this respect? it was incomplete. The measure had passed that House it was true; but it was no less true, that it had not completed its progress in the other House, still more that it had not received the sanction of the third branch of the legislature; but, above all, that it had never been acted upon, nor consequently submitted to by the people. If that and the other House were to direct the King's officer to apply the King's seal to a public instrument, it would be an act of power; so also would it be an act of power to appoint a Regent.

But the difference would be this. In the latter case they would only exercise a power derived from general right, and qualified by the necessity of the case; in the former, they would usurp a power with which they could have no constitutional right to interfere. What power could the two houses of Parliament have over the servants of the King? Could they enforce obedience to their commands? Had they the power to punish the King's officers for disobeying their orders? They had no such power, and to attempt to exercise it would be to assume the functions of the executive government, to overstep the bounds of their own constitutional powers, to make themselves, as it were, the inheritors of the personal functions of the Sovereign in every case of temporary incompetence, and

thereby to overthrow the just equilibrium of the British constitution. Why then, he would ask, should the two houses of Parliament assume the powers of the King, whose incapacity they had already declared? If an act should pass, having the Royal assent given to it, in consequence of the usurpation, it would be a self convicted act of Parliament. He should object to such a measure on two grounds, because it would be an unconstitutional exercise of the political power of the king, and because it would be to assume, to two branches only, the authority of the supreme legislature of the nation, without even the semblance of the sanction of the King. Suppose the two Houses were to issue orders to the Commander in Chief to prepare for a particular expedition, could they expect that he would yield obedience to such orders? Could they punish him for disobedience? Suppose again that they were to command the Treasury to make a certain disbursement of the public money, could they enforce obedience to their orders? If they could not, then, what sort of an executive power must that be which cannot command the officers of the Crown? What sort of a legislative power must that be which cannot enforce the obedience of the subject? Could the two Houses impose a tax, and punish a resistance to the levy of it, would the loss of life during such resistance be found murder by a jury? With respect to the distinction between the political and personal character of the Sovereign, that was a distinction that ought ever to be made with great caution. It was well known, that when the Long Parliament overturned the constitutional monarchy, they made use of the political character of the King in support of their pretensions, though the King's personal character was in the ranks against them. As to limitations upon the powers to be exercised by the Regent, he should never consent to take away from him any of the powers belonging to the kingly office. He should acquiesce in the decision, but should vote for the proceeding by address.

The House divided on Lord William Russel's motion; for the previous question, Ayes 15, Noes 98; Majority 83.

Tellers for the Ayes, Lord William Russel and Sir F. Burdett. Noes, Mr. Croker and Mr. Barry.

The resolutions were then agreed to.

HIS MAJESTY'S ILLNESS.

THE CHANCELLOR OF THE EXCHEQUER (MR. PERCIVAL) PROPOSES
A RESTRICTED REGENCY.

January 2. 1811.

ON the 31st of December, both houses had a conference in the painted chamber; and on that day there was a call of the lower House; and, having gone into a committee on the state of the nation, the Chancellor of the Exchequer proposed the following resolutions, as the ground of a bill which he meant to introduce:

“ 1. That it is the opinion of this committee, that for the purpose of providing for the exercise of the Royal Authority during the continuance of His Majesty's illness, in such manner, and to such extent, as the present circumstances and the urgent concerns of the nation appear to require, it is expedient that His Royal Highness the Prince of Wales, being resident within the realm, shall be empowered to exercise and administer the Royal Authority, according to the laws and constitution of Great Britain and Ireland, in the name, and on the behalf of His Majesty, and under the style and title of ‘Regent of the Kingdom;’ and to use, execute, and perform, in the name and on the behalf of His Majesty, all authorities, prerogatives, acts of government, and administration of the same, which belong to the King of this realm, to use, execute, and perform, according to the laws thereof, subject to such limitations and exceptions as shall be provided.

“ 2. That it is the opinion of this committee, that, for a time to be limited, the power so to be given to His Royal Highness the Prince of Wales, shall not extend to the granting of any rank or dignity of the peerage of Great Britain and Ireland, or of Ireland, to any person whatever, except such person or persons as may perform some singular naval or military achievement.

“ 3. That it is the opinion of this committee, that, for a time to be limited, the said power shall not extend to the granting of any office whatever in reversion, or to the granting of any office, salary, or premium, for any other term than during His Majesty's pleasure, except such offices as are by law required to be granted for life, or during good behaviour.

“ 4. That it is the opinion of this Committee, that such part of His Majesty's private property as is not now vested in trustees, shall be vested in trustees for the use and benefit of His Majesty.

“ 5. That it is the opinion of this committee, that the care of His Majesty's royal person, during the continuance of His Majesty's illness, should be committed to the Queen's most excellent Majesty; and that, for a time to be limited, Her Majesty shall

have power to nominate and appoint such persons as she shall think proper, to the several offices in His Majesty's household, and to dispose, order, and manage, all other matters and things relating to the care of His Majesty's royal person; and that, for the better enabling Her Majesty to discharge that important trust, it is also expedient that a council should be appointed to advise and assist Her Majesty in the several matters aforesaid; and with power, from time to time, as they may see cause, to examine upon oath the physicians and others attending His Majesty's person, touching His Majesty's health, and all matters relative thereto."

Mr. Wm. Lambé proposed as an amendment to the first resolution, that the words, "subject to such restrictions and limitations as should be provided," should be omitted. This amendment was supported by Lord Kensington, Mr. Leach, and Mr. Wm. Smith. Mr. Leach, in a very able and elaborate speech, entered into the merits of the question at considerable length. He quoted the precedents in the reigns of Edward III. and Henry VI., and contended that the two Houses did not possess the right to restrict or limit the power of the executive magistrate; that it was a departure from the spirit of the constitution; and an abandonment of that duty which they owed to the people. The amendment was opposed by Mr. Canning, Lord Castlereagh, and Mr. Bragge Bathurst.

The committee then divided: for Mr. Lambé's amendment 200, against it 224; Majority in favour of first resolution 24.

On a division upon the second resolution, for restricting the prerogatives as to granting of peerages, the numbers were, for the second resolution 226, against it 210; Majority for the second resolution, 16.

On a division upon the third resolution, respecting the grant of pensions, &c. the numbers were, for the third resolution 233, against it 214; Majority for the third resolution, 19.

The fourth resolution, relative to the disposition of the King's private property, was agreed to without a division. And the discussion upon the fifth resolution, respecting the household establishment, was postponed until the next day, when an amendment was proposed by Lord Gower, to omit that part of the resolution from the words "Queen's most excellent Majesty," and to insert, in the room of it, "together with the sole direction of such portion of His Majesty's household as shall be deemed requisite and suitable for the due attendance on His Majesty's sacred person, and the maintenance of His royal dignity." In this debate Sir Samuel Romilly, in alluding to the precedent of 1789, commented upon the conduct of Mr. Pitt. He said, was it possible to read the proceedings of the two Houses, in the year 1788, without being convinced, that the object of Mr. Pitt, through the whole course of those proceedings, was merely to retain the power in his own hands as long as he could; and when he could no longer keep it, to give it up to his successors as much curtailed as possible. He had laid hold of an expression which had fallen inconsiderately from his political antagonist (Mr. Fox) in the course of

debate, and which had not been insisted on, and had made it the subject of a resolution, merely that he might gain a triumph to himself. The proceedings in Parliament at that day exhibited a struggle, in which scene Mr. Pitt appeared the principal actor, contending for his own power.

He was not disposed to attach a greater degree of value to this precedent, for what had been said of the high authority of the person from whom it proceeded. He was not a worshipper of the memory of Mr. Pitt, although, as he was now dead, he did not wish to speak against him. He knew how many persons in that House were connected with him by private friendship, and were almost idolaters of his character and talents. To those gentlemen he did not wish to act with incivility, by disparaging him of whom they thought so highly; but he must say, that, notwithstanding the great talents which he undoubtedly possessed, he never could acknowledge his claim to be considered a **GREAT MAN**. Before he could give him that character, he must see the instances where the great talents he possessed, and the great influence he had so long enjoyed, had been exercised in improving the condition of any part of His Majesty's subjects.

The House divided: for Lord Gower's amendment 226, against it 213; Majority in favour of Lord Gower's amendment 13.

On this day (the 2nd), Mr. Lushington brought up the report from the committee on the state of the nation. The resolutions were then read; and, on the first being read, Lord Porchester moved as an amendment, "That the concluding words of the said resolution, 'subject to such limitations and exceptions as shall hereafter be provided,' be left out." The amendment was seconded by Sir Thomas Turton. It was opposed by Mr. Yorke, Mr. Ryder, the Master of the Rolls (Sir Wm. Grant), and Mr. Canning, who entered into an eulogium on the memory of Mr. Pitt, and replied to what Sir Samuel Romilly said on the preceding night. In reply to which, Sir Samuel Romilly observed, that he would not attempt to answer the blaze of zeal, which after his (Mr. Canning's) silence on the preceding day, and twenty-four hours' calm consideration, had unexpectedly burst forth. He had not been an inattentive observer of Mr. Pitt's public life; he never disputed that he possessed the most splendid talents; but he could not forget what opportunities of improving the condition of his fellow-creatures he had lost. If the right honourable gentleman (Mr. Canning) had, in plain and simple language, pointed out the acts of Mr. Pitt's administration, which he (Sir S.) had overlooked; or if he had only told him, to what class of His Majesty's subjects he was to turn, to discover increased happiness and increased comfort, the effects of Mr. Pitt's talents, or to what part of the empire he might look, to "read his history in a nation's eyes," he would have much better served the memory of his friend, than by all this laboured accumulation of eloquence. Lord Porchester's amendment was supported by Lord Francis Osborne, Mr. Wm. Wynne, Mr. Sheridan, Mr. Ponsonby, and Mr. Grattan, who spoke as follows:

Sir, — From what I have heard in the course of this discussion, it appears to me, that the question under consideration has not been fairly stated; that is, has not, in the manner in which it has been argued, been placed upon its real grounds. The question now before you is, not what has usually been done in cases of regency, but what ought to be done in the present emergency, and under the existing circumstances of the times in which we live. The precedents bearing on the case of the appointment of a Regent, have been ably stated and commented upon by an honourable and learned gentleman (Mr. Leach), in a former debate. The distinguished manner in which that honourable and learned gentleman has argued that part of the question, leaves little to be added by those who may follow him. It is clear, from what has fallen from that honourable gentleman, that in every instance of a regency, all the prerogatives of the Crown have been given to the Regent; or, if not given to the Regent, that they were never suffered to continue in suspense; that if not active in the hands of the Regent, they were still in subsistence for the benefit of the people. It is a very unsatisfactory answer to our argument, to say, that all the powers of the executive should not in this instance be given to the Regent, because in some cases certain powers were not given to a regency. The nation has a right to call upon Parliament to give the public the benefit of those prerogatives vested in the Crown for their use, whether they are to be conferred on a sole Regent, or a council of regency. The public has an interest and a right in these prerogatives of the Crown; and it is, therefore, incumbent upon those who propose restrictions upon any of them, to shew, that they can be withheld with safety. The right honourable secretary has indeed contended, that the prerogatives of the Crown are not necessarily to be at all times in a state of activity. But does the right honourable gentleman mean to say, that the essential and vital prerogatives of the Crown are not necessary to be exercised at a period when the country is in such a state of difficulty and danger? But says the right honourable gentleman, the period of restriction is to be short. How does he know that? the period proposed is one year. But will France wait for one year? will America wait for one year? If you cannot postpone the activity of your enemy, you should not suspend the functions of your executive government. You cannot suspend the prerogatives of the Crown, without great danger to the constitution of your monarchy. The right honourable gentleman opposite proposes that the regency shall be invested with only a part of the prerogatives of the

Crown, and would have us believe that the power of creating peers, of granting places or pensions permanently, is not necessary in this period of war, at least for twelve months. If the right honourable gentlemen can shew that, they must do a great deal. It is an experiment highly exceptionable and eminently dangerous at any time to make it a matter of doubt, whether the vital prerogatives of the Crown be necessary for well conducting the affairs of the nation.

The executive magistrate, whether administering the government in his own name, or in the name of his sovereign, ought to possess, in their fullest extent, all the prerogatives of the Crown. Now, I beg leave to submit, what I conceive to be the duty of this House on this occasion. Our great object is to supply the existing deficiency, by putting into activity and action all the powers of the executive in the hands of the Regent. How far, then, is he to exercise the royal functions? by signing papers? No. How then? By exercising a competency of power to the exigency, and calling forth into action all the royal functions requisite for the salvation of the country. You must recollect, that this is a year of war. You must recollect, that this year, in which you are called on to deprive the Regent of the great prerogatives of the Crown, is not merely a year of war, but a year in which you may have to fight for England on British ground. The right honourable gentleman has called upon us to prove, that the prerogatives proposed to be restricted, are necessary to be given to the person who is to represent the sovereign in a period of war; of such a tremendous war. I say, the right honourable gentleman is not entitled to make that call upon us. The prerogatives are allowed, on all hands, to be at all times necessary for the Crown; and it is incumbent on him, and those who think with him, to show that they are not necessary for the Regent, under the pressure of all the difficulties and dangers with which the country is beset. They are bound to shew, that those powers with which the ancient kings of England were invested, which the constitution recognizes, and which are essentially necessary for the welfare of the realm, may be now safely suspended in this arduous and alarming crisis; that those prerogatives, which are of the essence of the monarchy, are, in the existing state of things, superfluous and unnecessary.

But the right honourable gentleman who has proposed these resolutions, has himself given up his principle, when he excepts from his restriction, persons performing great naval or military services. Having giving up a portion of his restrictions, he has nothing now to do, but to give up the

remainder. He has so far broken in upon his original proposition, as to destroy the principle he professes to sustain, and while he wishes to establish his rule by the exceptions, he makes his exceptions the conditions of that rule. The right honourable gentleman, has undoubtedly admitted, that there might be much inconvenience, in extending the restrictions in a time of war, to the case of distinguished naval and military officers. But why should not similar inconvenience be felt from including within its operation the eminent services of meritorious civil officers? if the principle be right, the exception is wrong; if, on the contrary, the exception be proper, the restriction should be got rid of altogether. In fact, the most irresistible argument against the restriction, if it be wise or politic, is that it is not carried far enough. Yet, let me ask, whether we should now set about making the experiment, how much of the royal power may with safety be suspended? how much of the royal prerogatives may be spared? the proposition of the right honourable gentleman calls upon us to determine, not how much of the powers of the sovereign shall be given to the Regent, but with how little of these powers the Regent, in a period of unexampled difficulty and danger, may be able to do much for the salvation of the country.

Will the House take upon itself, under such circumstances, the heavy responsibility of detaching from the executive magistrate so large a branch of the powers of the government? Will the right honourable gentleman, and those who think with him, be responsible in their own persons for the consequences which may ensue? Let me add too, that it is not a fair way to state the question to say, that it is not necessary that this office, or that pension should be granted, or any particular peerage should be conferred. The real matter for consideration is, whether the prerogative, from which such favours flow, is material to the kingly office? and if it is, whether it be right that it shall be kept in suspense? If the Regent shall have no power of granting offices or pensions but during the Regency, or of creating Peers except in special cases, it must be obvious that the ministers, who are the servants of the infirm King, will have a reversionary interest in such grants on the recovery of the King. If these ministers should not be the ministers of the Regent, this reversionary interest will be a means of strengthening them against his government, and weakening the powers of the executive, at a time when all its vigour and energy are indispensably necessary. You will give to them, therefore, in prospect, what you take immediately from the Regent, and by stripping the person at the head of the government of the

power of rewarding public services, throw into the hands of those ministers additional means of traversing the measures of his administration. Suppose, for instance, a person disappointed in his expectation of such a grant from the Regent, will he not naturally look to those who may soon have that power which the Regent is not to possess, and join them in an opposition to embarrass his government? The case is not unlikely to happen, and will you, then, by adopting these restrictions, establish a weak government and a strong opposition? Will you paralyze the vigour of the executive by legislative provisions, and create a powerful opposition by act of Parliament.

It is not enough to say, that the restriction on this prerogative is necessary to facilitate the resumption of his power by the King on his recovery, or that it is not in contemplation to do any injury to the monarchy or to the constitution. If you confer only a part, and withhold the remainder of the prerogatives of the Crown from the Regent, you will alter the whole face and complexion of the sovereign authority. The monarchical power will be no longer in the hands of the Regent, what the constitution directs it should be; — in the hands of the chief executive magistrate. This would be to alter the very frame of the government, and the original principles of the constitution; to separate the authority; to discharge the more arduous duties and functions of the government; the administration of foreign affairs; the decisions of the relations of war and peace, the distribution of justice, and regulation of police at home, from those prerogatives which add grace and lustre to the sovereign power, and, by their amiability, render the executive magistrate an object of affection, no less than a source of terror; the fountain of bounty and favour, as well as the executor of justice. It is not enough to make the Regent a penal magistrate, to arm him with all the coercive powers of government, to authorize him to enforce the revenue laws, to visit offences with punishment, and to exercise all that is harsh and odious in the duties of the chief magistracy; we must also give him those healing and remunerating prerogatives which cast a veil over the severity of vindictive justice, and reconcile, by their salutary interposition, the stern exercise of authority.

But, Sir, let me ask, in the first place, whether it be necessary to suspend this prerogative under the present circumstances? and, secondly, whether it will be safe to withhold any part of the powers of the Crown from the Regent, at a time when not only the nation is at war, but also universally admitted to be in a state of imminent peril? Can it be neces-

sary, in order to facilitate the King's resumption of his power upon his recovery (which I sincerely hope may be speedy), that the Regent should be abridged of the power of creating peers for any given period? Can any man suppose, that the exercise of that power of making peers in any imaginable manner, during twelve months, could tend to obstruct the resumption of his royal powers by His Majesty? I concur most fully in the propriety of that provision, which gives to the Queen the custody of His Majesty's person during his melancholy illness. I am equally ready to admit, that the first moment of His Majesty's restoration to perfect health, should be the period of the full resumption of his authority. Every necessary precaution should be now provided to reinstate him in all the prerogatives and powers of the monarchy, as soon as His Majesty's intellectual faculties shall resume their vigour. On the dawn of reason, His Majesty should walk forth with all the ancient and undiminished privileges of the monarch. When gentlemen say that the power of creating peers in the hands of the Regent would be productive of impediments to the return of the King to power, do they mean that a Regent would be so lost to the dignity and duties of his station as to harbour such an idea? Do they think, that if he could find instruments for such a purpose, the Regent would be capable of entering into so foul a conspiracy against the rights of his sovereign and the interests of his country? The very bill which the right honourable gentleman has himself brought in, negatives the base suspicion; for it declares, that the Prince of Wales shall be Regent, not in right of his birth, but on account of his fitness. Is it then consistent in Parliament to declare in the enacting clause his qualification, and in the restricting clause to deny it? The right honourable gentleman has insinuated, that a number of peers had been created by the late administration; granted. But has that obstructed the measures of the government? Has it impeded the administration of public affairs, or in any one instance embarrassed the functions of the executive? Yet suppose this power of creating peers to be prejudicial, suppose, that by its exercise, or its abuse, it might become injurious to the interests of the state, what is the remedy? to limit the power? certainly not; but to withdraw it altogether; to secure the state from the danger by taking away from the executive the power of abuse, to abolish the prerogative at once, and not to withhold it one year from the Regent, and then let it loose (use and abuse), next year, to himself and his successors. The case of the creation of a number of peers at once, in the reign of Queen Anne, has also been adverted to

for the purpose of showing that the abuse of this prerogative might be carried to an extent that would amount to a control upon the proceedings of the legislature. But to give validity to the inference drawn from this case, it must be shown, that the abuse of the power, in that instance, had either impeded or embarrassed the functions of the government. Certainly it cannot be denied, that the danger and mischief of such an abuse would be as great under a reigning sovereign as under a Regent; and though it is fair to argue from the abuse to the correction, it is as false in logic as it is unfair in argument to reason from the use to the abuse.

It is my opinion, Sir, that, generally speaking, the influence of the Crown ought rather to be diminished than increased; but still I am an enemy to any curtailment of the just influence and necessary authority of the executive at this period. The proposition of the right honourable gentleman respecting the disposal of the household, appears to me to be calculated to do this. If the household be withheld from the Regent, he will not only be deprived of a certain proportion of influence, constitutionally belonging to the executive exclusively, but that influence will be thrown into other hands. By acceding to this arrangement you will create a new political power to keep up a continued rivalry and contest with the government of the Regent; you will, in effect, create two Regents; a Regent of administration and a Regent of opposition.

I mean no improper or offensive insinuation; I feel all that respect and veneration for Her Majesty which are so justly due to her exemplary character and conspicuous virtues; but I must strenuously protest against the enactment of a bad law, on the chance of its correction by a good Queen. If the control and patronage of the household be entrusted to any other hands than the Regent's, it is not unfair to conclude that this influence will be exercised in opposition to his measures and government. Now, if the council to be assigned to the Queen be not of the council of the Regent, it must be clear that it will form a host independent of the Regent's government, ready to thwart all its measures, and adding to the strength of any opposition that may be formed against it. To the proposed plan, therefore, I most decidedly object for that reason; but no less so for this other, that the complexion you will thus give to the character of the Regent, and the impression it must make upon the public mind will have an injurious effect upon his future government, when, by course of nature, he will have to succeed his royal father upon the throne.

If, by any parsimonious restriction of the royal prerogatives,

you disable him from executing the duties of the executive with credit to himself or with benefit to the public, you will induce the people to suppose, that, as you suspect he would not be a good Regent, he must make a bad King.

Is this, then, the treatment, which the Regent is entitled to expect at our hands? Does it become Parliament to address the Regent in this language? "We give you the prerogative of making war or peace; we invest you with authority to dispense justice to the subjects of this realm; we entrust to you every power of the executive, which in its exercise can render your government unpopular or odious; but we do not think proper to invest you with any of the gracious and conciliatory prerogatives of the Crown; and, moreover, set up a new political power in the state to thwart, and oppose all your measures, and therefore we call upon you to take the administration of the government with such mutilated powers upon yourself, and to exert your best energies for the benefit and interests of the country." If Parliament could act in this manner, it would reduce the country to the distressing and gloomy alternative of one King disabled by infirmity, and another King rendered odious by the effect of those restrictions.

For myself, I feel no objection to the introduction of the King's name upon this occasion; it is actually impossible to avoid it. We are called upon to supply a deficiency created by his infirmity, and cannot possibly discuss the means of doing that, without referring to the cause. I am as well disposed as any honourable member, to pay every deference to the feelings of His Majesty; but what are the feelings which the provisions of this bill, and the arguments of the right honourable gentlemen opposite, ascribe to him? Are they not feelings derogatory from his known character, and disgraceful to one in his exalted station? thus the sacred name of the King has been treated with disrespect, and insulted by imputing to him anxieties not for the public welfare, but for his individual gratification; by representing him as awaking from what has been called "The Trance of Reason;" as inquisitive, not as to the situation of Europe, but as to the state of his household; not as to the fate of England, but as to the condition of his establishment; alive rather to the nomination of his servants, than to the calamities of his country; and demanding not an account of his ministers' measures, but a list of his household domestics.

Thus, not content with calumniating the sovereign's mind, by supposing it filled with such unroyal notions, the right honourable gentlemen wish to make, the very contemptible feelings they impute to His Majesty, the ground of our legis-

lation. They first brand their King as unroyal, and then prove themselves unconstitutional. The best consolation of a sick King, is the prosperity of his people. Parliament will abandon its duty, if it attends rather to the identity of the king's household, than to the competency of his government; and, if such a mistaken view of what we owed to our sovereign and to our country, shall influence the decision of this night, the monarch will certainly, on his recovery, find himself surrounded by his old domestics, but he will also be surrounded by the misfortunes of his country.

The amendment of Lord Porchester was negatived without a division; the first, second, third, and fourth resolutions passed, as originally proposed by the Chancellor of the Exchequer.

Upon the fifth resolution, which had been amended in the committee, by a majority of 13, the Chancellor of the Exchequer divided the House, and his amendment, which went to restore it to its original state, was negatived upon a division, by a majority of three.

For the fifth resolution, as amended in the committee, 217, against it 214; Majority 3.

Tellers for the Ayes, Mr. Calcraft and Mr. Freemantle:
Noes, Mr. Wallace and Mr. Long.

IRELAND.

MR. J. W. WARD'S MOTION RESPECTING MR. W. POLE'S CIRCULAR LETTER TO THE SHERIFFS OF IRELAND.

February 22. 1811.

THE Roman Catholics of Ireland, in order to forward the object of their petition, resolved to appoint a more extended committee; and with that view, directed the individual who acted as their secretary, to address to the Catholics of the different counties in Ireland the following letter:

“ SIR,

“ I am directed by the general committee of the Catholics of Ireland, to solicit your particular attention on the present occasion.

“ The committee being entrusted with the petition of the Catholic body, feel it incumbent on them to state to you their conviction of the imperative necessity of an increase of their numbers, so that there may be managers of the petition connected with every part of Ireland. It is highly desirable that the committee should become the depository of the collective wisdom of the Catholic body, that it should be able to ascertain, in order to

obey, the wishes, and clearly understand the wants of all their Catholic fellow-subjects.

" This is the more requisite at the present moment, when there appears to be so near a prospect of complete emancipation; and the Committee are convinced, that their emancipation can now be retarded only by criminal apathy or neglect amongst the Catholics themselves.

" They beg leave to suggest to you the propriety of appointing ten managers of the petition in your county. There are now survivors of the persons who were delegates in the year 1793: these persons are already constituent members of the committee, and, as such, managers of the petition; so that you have to appoint only additional managers.

" The committee desire to add, that, by the law, as it now stands, no species of delegation or representation can be suffered to take place, nor can any person, without a gross violation of the law, be a representative or delegate, or act under any name as representative or delegate. Engaged, as we are, in a struggle for legal and constitutional rights, it is our duty, as well as our inclination, and decided determination, not to violate the spirit, nor even the letter of the law. It is, at the same time, to be observed, that the law to which we allude, does not interfere with the subject's undoubted right to petition Parliament, nor, of course, with the only method by which so large a body as the Catholics of Ireland could concur in forwarding a petition, namely, by leaving the management of it in the hands of a few persons, who deserve and possess their confidence.

" And the committee cannot refrain, on this occasion, from calling to your recollection, the words of that celebrated champion of loyalty and religion, Edmund Burke, relative to the Irish Catholics: ' Your enemies are embodied; what becomes of you if you are only individuals?'

" The committee does not presume to interfere with the mode in which you shall think fit to nominate those managers of the petition; save that it must not be by any election or appointment to represent any person or persons, or any district or place whatsoever. They moreover beg leave to suggest the propriety of expedition, and request that you will have the goodness to reply to this letter, and to state your sentiments on this subject, adding, if it shall so please you, the names of persons, whom you conceive most fit to manage the petition in your county.

" In appointing those managers, the committee respectfully solicit your particular attention to the many advantages to be derived from naming managers, whose avocations require, or leisure permits their permanent or occasional residence in Dublin, where the ultimate arrangements, as to the petition, can best be made. I have further to observe to you, that all the noble lords who constitute the Catholic peerage, are already managers of the petition.

" I have the honour to be your's, &c.

" (Signed) EDWARD HAY, Secretary.

" Dublin, No. 4. Capel-street,

" January 1. 1811."

In consequence of this letter, Mr. Pole (the Irish Secretary), by the direction of the Lord-lieutenant of Ireland (Duke of Richmond), issued to the sheriffs and magistrates of the different chief towns throughout Ireland, the following circular letter :

“ SIR,

“ It being reported that the Roman Catholics in the county of _____ are to be called together, or have been called together, to nominate or appoint persons as representatives, delegates, or managers, to act on their behalf, as members of an unlawful assembly, sitting in Dublin, and calling itself, ‘ The Catholic Committee,’ you are required, in pursuance of the provisions of an act of the 33d of the King, chap. 29. to cause to be arrested, and to commit to prison, (unless bail shall be given) all persons within your jurisdiction who shall be guilty of giving or having given, or of publishing or having published, or of causing or having caused to be given, or published any written or other notice of the election and appointment, in any manner, of such representative, delegate, or manager as aforesaid ; or of attending, voting, or acting, or of having attended, voted, or acted in any manner, in the choice or appointment of such representative, delegate, or manager : And you are to communicate these directions, as far as lies in your power, forthwith, to the several magistrates of the county of _____

“ N. B. Sheriffs are to act under the warrant of magistrates, in cases where the crime has been committed.

“ By command of His Grace the Lord-lieutenant,

“ (Signed) W. W. POLE.”

This letter, the proceedings taken by the Catholics in consequence thereof ; the severity of enforcing, for the first time, a law which had lain dormant for fourteen years, more especially in a case where the rights of so great a body as the Catholics were concerned ; whose object was but to petition, in the most general and effectual manner, naturally excited much irritation in Ireland. The unconstitutional tendency of this hasty measure, abridging the subject's right to petition, was the foundation of just complaint. Notice, therefore, was given in Parliament, of a motion on the subject. And on this day (the 22d), Mr. J. W. Ward rose in pursuance thereof. He stated, that the letter of Mr. Hay (the Catholic Secretary) did not warrant a measure of such severity. The government in Ireland had made no communication to the ministers in England. They had suffered six weeks to elapse before they had taken any steps on the subject of Mr. Hay's letter. Under the government of the present minister (Mr. Percival), which had now lasted four years, the state of Ireland was growing worse and worse, and therefore it became the House to show some anxiety for the fate of that country. He concluded by moving,

“ That an humble address be presented to His Royal Highness the Prince Regent, that he will be pleased to give directions that there be laid before this House, copies or extracts of such dispatches from the Lord-lieutenant of Ireland to the Secretary of _____

State for the Home Department, and from the Secretary of State for the Home Department to the Lord-lieutenant of Ireland, as relate to the letter of the Right Honourable Wellesley Pole, to the sheriffs and chief magistrates of the principal towns throughout Ireland, on the subject thereof."

The motion was supported by Mr. Parnell, Sir John Newport, Mr. Whitbread, Mr. C. Hutchinson, and Mr. Ponsonby. They censured the conduct of the Irish government, in resorting to the convention act, an act which had not hitherto been enforced; which had been passed in the time of Mr. Pitt and Lord Clare, and which was the result of a splenetic and intolerant government. The letter of Mr. Pole was, in every respect, unjustifiable; it denominated the Catholic committee an unlawful assembly, before a single person had been elected in the manner specified by the act. It directed the arrest of individuals, and their commitment, unless bail was given. The legality of such a proceeding was much to be questioned. They condemned the system of insult that was offered to the Catholics; and recommended government to adopt a system of conciliation.

Mr. GRATTAN said: he could not suffer this question to be decided, without briefly delivering his sentiments upon it. The tranquillity and interests of Ireland, were so intimately connected with the subject in discussion, that he could not reconcile it to himself to give a silent vote on this occasion. He agreed with the right honourable gentleman, in thinking that the Catholics must be in that House a frequent subject of debate; he agreed with him also in thinking that every debate on that subject, should be conducted with a peculiar measure of temper and moderation; that the Catholics should ever be spoken of, particularly in Parliament, with great deference and affection. Sir, you must not forget that they are necessary to the existence of your empire, as the existence of that empire is to them; that the two countries must go on in harmony, to go on with the chance of either force or security. In this idea I must suggest to you, that the House of Commons should act as the guardian of the Catholic interest, and if you do not comply with the prayer of its petition, and give the Catholics the whole of their privileges, you should take care at least that they possess, without interruption, what the laws have left them; you should take care that the communication between this House and the Catholics should be free and open, so as to enable them to express not the sentiment of a particular part, but of the whole community.

It is a fundamental principle of British and imperial policy, that the communication between the Catholics of Ireland, and the Parliament, should be free and unembarrassed; therefore, I condemn a measure, which tends to obstruct that communi-

cation, by recurring to an act generated in spleen; and which, if not repealed, should at least be resorted to as rarely as possible. If that act were at all to be resorted to in the present times, it ought to be so construed as to leave the utmost facility of communication between the great body of Irish Catholics, and Parliament. If rigidly and bitterly construed, it would cut off all communication of that nature, between the Parliament and the people. This was particularly the case with regard to Ireland, since the union; for many channels of communication, which were then open, between the people of that country and the legislature, were now almost shut up. It was the more incumbent, therefore, upon that House, to take care that Parliament should not be deprived of the means of ascertaining the sentiments, not merely of a small portion, but of the whole body of the Catholics in Ireland; and of allowing for that purpose, the right of petitioning in the fullest and freest manner. What had occurred on former occasions? When he presented a former petition from the Irish Catholics, it had been said, that the petition might contain the sentiments of the individuals by whom it was signed, but that the great body of Irish Catholics were indifferent to the subject. You have heard gentlemen deny in this House, that such applications or objects are the desire of the Catholic body; you should therefore adopt the only method by which that question can be decided, to suffer the Catholic body to speak for itself; and therefore it is not sufficient to save to them the forced construction of the convention bill, (the right of petition), but you should allow that right in such an extensive mode and manner, as to enable them to present to you their general and authenticated desire, and so you must construe the saving clause in the bill. Accordingly, I beg further to say, that in questions touching the breach of law, you are not to consider merely whether the law has been departed from, by any of the Catholics, but whether it has been vindicated by the government without unnecessary severity; whether the government has, in asserting the law, fallen into the character of partisans, and in suppressing a particular excess, wounded the general sense and great body of the Catholics.

Having said this much with regard to the state of the Catholics of Ireland, and the nature of the convention act, I would ask if the letters produced established any necessity for having recourse to those measures; which unless under very imperious circumstances, it was the duty of the government never to adopt. The papers produced by ministers would go but a certain length: as far as they did go, they certainly did

not make out their case. But as they had refused the production of all further papers calculated to throw a light on the subject, it became the duty of the House to decide whether the papers upon the table did not contain all the information which ministers could produce in favour of the Irish government, and whether they did not fall very far short of any justification of the recent conduct of that government.

On these principles, I beg to consider the letter of the Irish secretary, dated the 12th of February, and the letter of Mr. Hay, on which the former is alleged to be founded. This letter of Mr. Hay, is charged to purport an invitation to the Catholics of Ireland to send from each county certain deputies, under the name of managers, to form a national convention in Dublin. The other letter, namely, that of Mr. Pole, orders the magistrates to arrest such persons as shall meet to appoint that delegation to an illegal assembly sitting in Dublin. This letter consists of two parts, the first prospective, or going to prevent what it calls a delegation; the other retrospective, or denouncing an existing assembly, namely, the old Catholic committee, as an illegal body. As to the prospective part of the letter, I do allow that a national or general convention, such as Mr. Pole's letter describes, would be an illegal assembly. Such is the act of Parliament. I will go farther, and say, that government could not avoid taking measures to prevent such a general convention; it would be ill-advised; it would be illegal. Whether the meeting of managers, convened by Mr. Hay's letter, would be such an assembly as Mr. Pole sets forth, is a question of law, which the lawyer must decide; as also, whether the order of the letter was such as the magistrates could by law carry into execution; but whatever the law may be as to this part of the letter, I think that it had been better to have adopted a milder and more soothing expression.

I would not recommend the rigorous execution of a rigorous law, for the purpose of allaying the discontent, or appeasing the exasperated temper of a people, who complained of injuries. I should be inclined rather to soften the severity of the law, to take away as much of its sting as possible, and certainly not to sharpen its edge against an aggrieved and complaining body. I would not, in endeavouring to prevent any unlawful or tumultuous meeting, have ushered in the measure by a direct and positive charge against that meeting, of entertaining improper or mischievous designs. There was this difference between the two modes of conduct, that the one bore an adverse and hostile character towards His Majesty's subjects; the other, indicated a friendly and parental

temper; doubtless there may be among the Catholics some misguided men, and some who might conceal unjustifiable views; but was this a sufficient apology for using irritating language to the whole body? The words "unlawful assembly," applied to the Catholic meeting in the letter of the Irish secretary, appear to be most injudicious; even, if strictly applicable, what necessity was there for assuming this phraseology, so remote from the style of conciliation, so unmarked by that superior good manners which ought to distinguish a magnanimous government.

I say I think it had been possible, and as effectual, to have adopted in the letter a tone more monitory and parental; but as to the second part of the letter, namely, that which is retrospective, in that I do not see any sufficient ground for justification; certainly not in Mr. Hay's letter, and we have no other ground submitted. If the government have any other correspondence, they have withheld it; they have therefore left us no means of acquitting them, except by a letter of Mr. Hay, which, in my mind, does not warrant the denunciation of the Catholic committee as an illegal assembly. That committee took its last shape in 1809; Lord Fingal was in the chair; Mr. M'Donnell made the proposition for continuing in the confidence of the Catholics, the nobility, also the persons who had been appointed to manage a former address, together with those who survived of the Catholic delegates of 1793. Mr. Burke proposed to add those who had been appointed to manage the petitions of 1805 and 1807. You suffered this committee to continue to act, to manage petitions which you afterwards received; you suffered it to continue, under different modifications, on the same principle of election since 1804, and now you declare this committee illegal. Lord Fingal was in the chair in 1809, when the present committee took its last form. Do you mean to send Lord Fingal to prison? What! the nobleman that has acted for you and for his country with distinguished allegiance, and has defended and tempered the claim, spirit, and efforts of his fellow-subjects:

Mr. Randal M'Donnell, a most excellent citizen, upright and intelligent, loved and looked up to by his country; is he to go to gaol? If so, why should not Lord Grenville, Lord Donoughmore, and myself accompany these worthy men? We have presented the petitions which they managed. We have communicated with them, and if their association be criminal, we cannot be innocent. I pray you would consider the act of Parliament, by force of whose construction you pronounce this committee illegal; it was an act which originated in resentment; the Catholics had

succeeded against the hostility of the Irish government; in their act of 1793, that government formed this bill in revenge. It is a bill which belies the common law; it does not merely make, it declares conventions to be illegal. Look at the words: it asserts that conventions are illegal, and, of course, declares that the delegations held at different times in both countries, and among them that great delegation of 1688, the convention that placed William III. and was the cause of placing the House of Hanover on the throne, it declares that an illegal assembly. If you construe this act so as to comprehend the present Catholic committee, I do not see any species of delegation, however small and partial, that may not be held illegal; and in that case, I do not see how it is possible for the Catholics of Ireland to petition as a body; that is to say, to petition with authority, if you do not allow them, or rather if you do not construe that clause in the act which preserves to them the right of petition, so as to allow them a power of appointing men to circulate, manage, and transmit their petition, and to arrange incidental considerations, which are inseparably annexed to it, I do not see how the Catholic body of Ireland can transmit a petition to Parliament. You cannot say to the Catholic, "You may petition, but you shall petition under difficulties and restraints such as shall render your effort embarrassing and unavailing."

In my judgment, these popular meetings, thus conducted, are not the cause of just alarm. It is well that opportunities should exist for the mind of the people to evaporate. The aspirations of active genius, and the high mettle of young ambition, should not be subjected to eternal control. I see much of public spirit in the Catholics of Ireland; much, indeed, of vehemence; but of a vehemence that threatens no evil consequences. The fire should be kept in its proper orb, and it will emit a salutary light and heat, without bursting into conflagration. Nothing has been stated to justify the retrospective operation of the convention act; and if ministers are determined to persevere in their impolitic system, I hold it to be the duty of the House to interpose in favour of the people, and to assert the right of the Irish subject to complain of grievances. It remains for ministers to show, that to destroy the Catholic committee, was necessary, in order to prevent a national convention in that country. It was the undoubted privilege of the subject to be sometimes clamorous and violent in the maintenance of his rights; I will not say it is his right to be foolish also; but I am sure that, with a view to suppress any mischief that may be apprehended, the worst plan is, a harsh exercise of the power and authority of

government. Occasional ebullitions of warm feelings do not call for its chastising arm ; they are the symptoms of a free spirit, the calentures of a lofty mind, harmless when gently treated.

Without taking up more of your time, to enquire whether the letter of Mr. Pole is warranted by the act of Parliament, whether the secretary of the Lord-lieutenant can, in his own name, command the magistrates, whether the magistrates, under the act, can arrest without an indictment, in a misdemeanor, which is not a breach of the peace. Without going into these questions, but leaving them to be settled by lawyers, I beg to conclude by remarking, that those occurrences, such as we have now before us, and which form the complaint of Mr. Pole's letter, are the natural effects of the present condition of the Catholics. You will be perpetually perplexed and embarrassed. You have disqualified a great portion of your fellow-subjects, who pay your taxes, and fight your battles. You have degraded your equals. It is to no purpose that you suppress the Catholic committee, the spirit by which that committee is actuated will break out in some shape less temperate and forbearing. There is an original evil in your policy ; you have sunk the Catholics into an unnatural degradation, and human nature will make eternal efforts to its restitution. In all questions between us and the Catholics, I should suggest to you to recollect that, in the original dispute, we are in the wrong, and if they express themselves with violence, we are the cause of it ; we have disqualified a people. Do we complain that the Catholics make speeches in committees ? Then let them into Parliament. Do we mean to say that they shall have no seats in Parliament, nor voice any where else ? I see in their debates a certain warmth occasionally, but I see much talent also. I know some of the members of their committee, and knowing them, I know them to be incapable of any views inconsistent with the good of the state.

To the Irish Catholic I strenuously recommend temper and forbearance. The time will come, it must come, when you will have him sitting with you, and voting with you, as he is now fighting for you, and ready to die for you ! The Irish government, we have heard, has been mild ; it has discountenanced bigotry, and has often refused to proclaim certain counties, though solicited. I rejoice at it ; my wish is, that the Irish government may return to its lenity, and may abandon the vehemence which seems at present to have inspired its communication.

The motion was opposed by General Loftus, Sir Henry Montgomery, Mr. Yorke, Mr. Fuller, and the Chancellor of the Exchequer (Mr. Percival), who contended, that the body designated in Mr. Hay's letter was clearly within the contemplation of the convention act. He condemned the discussions of the Roman Catholics as highly inflammatory. It was not possible, he said, that any government could tolerate such a body of men, as three or four hundred, meeting and discussing the measures of government in the capital of the country. The conduct of the ministers, in his opinion, had been legal, at well as temperate and dignified.

The House divided: for the motion 43, against it 80; Majority 37.

Tellers for the Ayes, Mr. J. W. Ward and Mr. Parnell.

Noes, Mr. Croker and General Loftus.

ROMAN CATHOLICS.

MR. GRATTAN MOVES TO REFER THE ROMAN CATHOLIC PETITION
TO A COMMITTEE OF THE WHOLE HOUSE.

May 31. 1811.

ON the 20th of May Mr. Grattan presented to the House the general petition from His Majesty's Roman Catholic subjects of Ireland; and gave notice, that he would, on the 31st, bring their claims under the consideration of the House. Accordingly, on this day, he desired that their petition should be read; also the resolutions of the House on the 28th of March last, giving the thanks of the House to General Graham, and the army under his command, for the brilliant victory at Barossa; also the resolutions of the House on the 26th of April last, giving the thanks of the House to Lord Wellington, and the army in Portugal; which having been read by the clerk, he said:

Sir, — In wishing that these votes of thanks should be read on this occasion, it was my object that the House should be in accurate possession of its own testimony to the conduct of that race of men, the justice of whose claims to equal rights and capacities we are proceeding to discuss. We are now going to consider, whether it be just or expedient that the existing system of penal laws to which they are subject, should any longer continue. I call them penal; for what else is the qualifying law? A law, inflicting penalties in the most objectionable form, that is, under the disguise of an oath; a law, which makes the forfeiture of conscience a recommendation to title and office; a law, that enacts religion to be a crime, and perjury a qualification. This is an occasion in which we are

assembled to try the bulk of the population of Ireland. We have to try them upon separate charges — upon charges against the religion they profess, and the political principles upon which they have acted. The testimony against them, I am sorry to say, is that of their countrymen, and also of their fellow-subjects. Now, although I will not affirm that it is impossible for the authors of those charges to enjoy a safe conscience; although I will not suspect or deny their morality, yet their testimony, thus directed against their fellow-subjects, is to my mind a strong presumption of their prejudice against those whom they accuse. Let their evidence be ever so good or respectable; their zeal and alacrity to tender it, are to me demonstrations of those prejudices. For what, in fact, does this evidence amount to? It begins by testifying that an immense body of Christians, subjects of this empire, are worse than any class or nature of idolaters; that they are not trustworthy in civil life. But if this charge be true, then it can be no less true that the Messiah has failed, that the Christian religion is not of divine origin, since its effect and operation has been to deprave and immoralize mankind. The charge is compounded of the dogmas of the church, and the politics of the court; the spirit of the former being uniformly the spirit of bigotry, that of the latter as uniformly power. Against this evidence, we have long had the indisputable declarations, and the explicit testimony of the six most eminent universities of Europe, disclaiming any doctrine incompatible with the strongest attachment to the civil government of every country. In addition to this, there is our experience of the fact, as proved and established in the long intercourse that has subsisted between Protestant and Catholic, and the long obedience and submission shown by the Catholic to your government. But let us look at the charge in another point of view, and examine upon what ground it rests. It represents that you, having had possession of Ireland for six hundred years, have so abased the exercise of your authority, have so oppressed and misgoverned the people of that country, that they are unalterably hostile to your interests, and inflexibly rebellious to your control. It represents that you stand self-convicted of a perversion of your power, and practically disqualifies you to be governors, under whose sovereignty Ireland has passed so many centuries of her existence. But, sir, I believe no such thing; I believe the assumption to be groundless; that it is unjust thus to accuse England; but such is the nature of the accusation against the Catholics; it points less against them than against England and against British connection. Depend upon it, that the original source of a

people's vices is the vice of its government; and that, in every instance since the creation of the world, the people have been what their rulers made them. A good government makes a good people. Moralize your laws, and you cannot fail to moralize your subjects.

Now, in order to disprove the justice of the charges brought against the general character of the Irish Catholics, I will first refer the House to the preamble of the statute of 1782. I will next beg their attention to the facts recorded in its late votes of thanks; and, lastly, to the circumstances and history of the connection between both countries. If the allegation, that the religion of the Catholics is essentially adverse to the British government be true, let us remember that the necessary inference is, that the British government must be a public calamity, and no longer deserving of support. But give me leave, in contradiction to that allegation, to advert to the facts on which it is founded, in order that I may the more clearly show, in the first place, that the existing penal laws are wrong, unjust, and indefensible; secondly, that their repeal is the only means of establishing the tranquillity and the security of Ireland. In the year 1792, about a hundred dissenters in the north of Ireland rebelled; this was immediately designated a Catholic revolt. These men, unprotected by your government, and denounced by your laws, were then declared to be in a state of general insurrection. This was your candour, this was your truth. But let me remind you, that tyranny is its own reward, and that imperfect privilege is the cause and measure of imperfect allegiance. In order to put down the insurgent, put down that penal code by which he is harassed and inflamed.

Another case to which I beg to refer, is that of the civil war, or rebellion, or whatever other name you please to give it, in the time of William III. On that occasion, the Catholics opposed William in defence of their liberties, civil and religious. Liberties, for violating which, the English people had most properly expelled James II. from the throne. But if James had offered to the English what he offered to the Irish people, would you have called in William, and expelled him? If he had proved the conqueror, and proposed to you the same conditions which William imposed upon the Irish nation, would you have accepted them at his hands, and persevered in your submission, without any effort to procure a relaxation of them? If they submitted with reluctance, would you, in a similar situation, have submitted with any other feeling? Whenever sects wage their war of persecution against each other, they will proceed to the last extremes

of hostility; this is no ordinary or generous warfare, and confiscation is not omitted among their weapons of annoyance. An act of attainder was passed against three thousand persons on account of their religion, and it was remarkable that those individuals were all men of property. This was forfeited accordingly to the Crown, and parcelled out to its favourites. In the reign of Charles I. forfeiture was a standing branch of the revenue; the claims of the Crown respected no charters; it held sacred no private rights; it was not restrained by common shame from despoiling the people of Ireland of their property and estates. On that occasion, the government wished the people to embark their properties on the same security with the establishments; the people gave in their title deeds, but the Master of the Rolls, an officer of the government, omitted to register them; and the government was flagrant and wicked enough to take advantage of the omission, and seize upon the property. Even an impudent subject had the audacity to take upon himself the perfidy of the Crown, and to declare to the people, that the charters of Ireland were not valid, and that the King of England was not bound by any law. It was this perfidious act that laid the foundation for the blood and massacre which ensued, and which were only the legitimate offspring of the unprincipled baseness and perfidy of a tyrannical, wicked, and illegal government. It would be easy, I think, to show, that these atrocious proceedings were the natural result of an atrocious system of misgovernment. Let me caution you not to embrace such a system, if you desire that common security should be the common object of society. If you do, depend on it, not Catholics alone, nor Irishmen, but Protestants, and all persuasions, will revolt against laws by which they are painfully distinguished from their fellow-men. Be assured, that no dependence is to be placed upon any man, either Catholic or Protestant, unless governed upon the same principles as the people of this country.

From this, I infer the necessity of repealing the laws for disqualifying the greatest portion of the people in Ireland, and for keeping alive such odious and painful distinctions in that country.

Suffer me now, Sir, to enter into a consideration of what has been the established principle of the British government in Ireland. This principle is that of disqualification; a principle which, whatever we may affect to think of it, in its existence implies a right to govern by conquest. If the Irish were now in a state of half-allegiance, this species of government might be proper and necessary; if not, the policy is

erroneous and unjust. Let us reflect on the necessary limits to all human legislation. No legislature has a right to make partial laws; it has no right to make arbitrary laws, I mean laws contrary to reason, because that is beyond the power of the Deity. Neither has it a right to institute any inquisition into men's thoughts, nor to punish any man merely for his religion. It can have no power to make a religion for men, since that would be to dethrone the Almighty. I presume it will not be arrogated on the part of the British legislature, that His Majesty, by and with the advice of the Lords spiritual and temporal, &c., can enact, that he will appoint and constitute a new religion for the people of this empire; or, that by an order in council, the consciences and creeds of his subjects might be suspended. Nor will it be contended, I apprehend, that any authoritative or legislative measure could alter the law of the hypotheneuse. Whatever belongs to the authority of God, or to the laws of nature, is necessarily beyond the province and sphere of human institution and government. The Roman Catholic, when you disqualify him on the ground of his religion, may, with great justice, tell you that you are not his God, that he cannot mould or fashion his faith by your decrees. You may inflict penalties, and he may suffer them in silence; but if Parliament assume the prerogative of Heaven, and enact laws to impose upon the people a different religion, the people will not obey such laws. If you pass an act to impose a tax, or regulate a duty, the people can go to the roll to learn what are the provisions of the law. But whenever you take upon yourselves to legislate for God, though there may be truth in your enactments, you have no authority to enforce them. In such a case, the people will not go to the roll of Parliament, but to the Bible, the testament of God's will, to ascertain his law, and their duty. When once man goes out of his sphere, and says he will legislate for God, he, in fact, makes himself God. But this I do not charge upon the Parliament, because in none of the penal acts has the Parliament imposed a religious creed. It is not to be traced in the qualification oath, nor in the declaration required. The qualifying oath, as to the great number of offices, and to seats in Parliaments, scrupulously evades religious distinctions; a dissenter of any class may take it, a Deist, an Atheist may likewise take it. The Catholics are alone excepted, and for what reason? Certainly not because the internal character of the Catholic religion is inherently vicious; not because it necessarily incapacitates those who profess it, to make laws for their fellow-citizens. If a Deist be fit to sit in Parliament, it can hardly be urged that a Christian

is unfit. If an Atheist be competent to legislate for his country, surely this privilege cannot be denied to the believer in the divinity of our Saviour. But let me ask you if you have forgotten what was the faith of your ancestors, or if you are prepared to assert, that the men who procured your liberties are unfit to make your laws? Or do you forget the tempests by which the dissenting classes of the community were at a former period agitated, or in what manner you fixed the rule of peace over that wild scene of anarchy and commotion? If we attend to the present condition and habits of these classes, do we not find their controversies subsisting in full vigour? and can it be said, that their jarring sentiments and clashing interests are productive of any disorder in the state; or that the Methodist himself, in all his noisy familiarity with his Maker, is a dangerous or disloyal subject? Upon what principle can it be argued, that the application of a similar policy would not conciliate the Catholics, and promote the general interest of the empire? I can trace the continuance of their incapacities to nothing else than a political combination; a combination that condemned the Catholic religion, not as a heresy, but as the symptom of a civil alienation. By this doctrine, the religion is not so much an evil in itself, as a perpetual token of political disaffection. In the spirit of this liberal interpretation, you once decreed to take away their arms; and, on another occasion, ordered all Papists to be removed from London. In the whole subsequent course of administration, the religion has continued to be esteemed the infallible symptom of a propensity to rebel. Known or suspected Papists were once the objects of the severest jealousy, and the bitterest enactments. Some of these statutes have been repealed, and the jealousy has since somewhat abated; but the same suspicions, although in a less degree, pervade your councils. Your imaginations are still infected with apprehensions of the proneness of the Catholics to make cause with a foreign foe. A treaty has lately been made with the King of the Two Sicilies. May I ask, is his religion the evidence of the warmth of his attachment to your alliance? Does it enter into your calculation as one of the motives that must incline him to our friendship, in preference to the friendship of the state professing his own faith? A similar treaty has been recently entered into with the Prince Regent of Portugal, professing the Roman Catholic religion; and one million granted last year, and two millions this session, for the defence of Portugal. Nay, even in the treaty with the Prince Regent of Portugal, there is an article, which stipulates, that we shall not make peace with France, unless Por-

tugal shall be restored to the house of Braganza. And has the Prince of Brazils' religion been considered evidence of his connection with the enemy? You have not one ally who is not Catholic; and will you continue to disqualify Irish Catholics, who fight with you and your allies, because their religion is evidence of disaffection?

But if the Catholic religion be this evidence of repugnance, is Protestantism the proof of affection to the Crown and government of England? For an answer, let us look at America. In vain did you send your armies there; in vain did you appeal to the ties of common origin, and common religion. America joined with France, and adopted a connection with a Catholic government. Turn to Prussia, and behold whether her religion has had any effect on her political character. Did the faith of Denmark prevent the attack on Copenhagen? It is admitted on all sides, that the Catholics have demonstrated their allegiance, in as strong a manner as the willing expenditure of blood and treasure can evince. And, remember, that the French go not near so far in their defence of Catholicism, as you in your hatred of it in your own subjects, and your reverence for it in your allies. They have not scrupled to pull down the ancient fabrics of superstition in the countries subjected to their arms. Upon a review of these facts, I am justified in assuming that there is nothing inherent in Catholicism, which either proves disaffection, or disqualifies for public trusts. The immediate inference is, that they have as much right as any dissentient sect, to the enjoyment of civil privileges, and a participation of equal rights. That they are as fit morally and politically to hold offices in the state or seats in Parliament. Those who dispute the conclusion, will find it their duty to controvert the reasoning on which it is founded. I do not believe the church is in any danger; but if it is, I am sure that we are in a wrong way to secure it. If our laws will battle against Providence, there can be no doubt of the issue of the conflict between the ordinances of God, and the decrees of man; transient must be the struggle, rapid the event. Let us suppose an extreme case, but applicable to the present point. Suppose the Thames were to inundate its banks, and suddenly swelling, enter this House during our deliberations, (an event which I greatly deprecate from my private friendship with many members who might happen to be present, and my sense of the great exertions which many of them have made for the public interest,) and a motion of adjournment being made should be opposed, and an address to Providence moved, that it would be graciously pleased to turn back the overflow, and direct the waters into another

channel. This, it will be said, would be absurd; but consider whether you are acting upon a principle of greater intrinsic wisdom, when, after provoking the resentments, you arm and martialize the ambition of men, under the vain assurance, that Providence will work a miracle in the constitution of human nature, and dispose it to pay injustice with affection, oppression with cordial support. This is, in fact, the true character of your expectations; nothing less than that the Author of the Universe should subvert his laws, to ratify your statutes, and disturb the settled course of nature; to confirm the weak, the base expedients of man. What says the decalogue? Honour thy father. What says the penal law? Take away his estate! Again, says the decalogue, do not steal. The law, on the contrary, proclaims, you may rob a Catholic! The great error of our policy is, that it presupposes, that the original rights of our nature may be violated with impunity, in imagining that a transgression of natural law, can be punished only hereafter. But there is an immediate, as well as a future retribution, and a remedy provided by natural causes for this obstruction of natural justice. The early effect of the promulgation of the penal code in Ireland, was to confound tyrant and slave, Protestant and Catholic, in one common mass of misery and insignificance.

A new law against English Catholics, was made in the reign of George II., and mark the result! when a militia force of 6,000 was wanted, it could not be raised. The Duke of Cumberland, son of George II., would not allow a man to be recruited in Ireland, except perhaps a weaver from the north. And what was the consequence? We met our own laws at Fontenoy. The victorious troops of England were stopped in their career of triumph by that Irish brigade which the folly of the penal laws had shut out from the ranks of the British army.

A little attention will show us, that, in the same proportion as we have conceded to the Catholic, have we grown strong and powerful by our indulgence; and that we have been the blind instruments of our own misfortunes, and of inflicting judgment on ourselves, by refusing justice to our fellow-subjects. If it be contended that to support the church it is expedient to continue these disabilities, I dissent from that opinion. If it could indeed be proved, I should say that you had acted in defiance of all the principles of human justice and freedom, in having taken away their church from the Irish, in order to establish your own; and in afterwards attempting to secure that establishment, by disqualifying the people, and compelling them at the same time to pay for its support. This is to fly directly in the face of the plainest canons of the Almighty.

For the benefit of eleven hundred, to disqualify four or five millions, is the insolent effort of bigotry, not the benignant precept of Christianity, and all this not for the preservation of their property, for that was secured; but for bigotry, for intolerance, for avarice, for a vile, abominable, illegitimate, and atrocious usurpation. The laws of God cry out against it; the spirit of Christianity cries out against it; the laws of England, and the spirit and principles of its constitution cry out against such a system.

An honourable member once expressed his apprehension, that the Catholic, if admitted to a seat in Parliament, would exert himself to promote the interests of his own religion, and to dispossess the church of England. I must remind the House, however, that it is contrary to every principle of legislation to inflict penalties on supposed offenders, or to punish imaginary crimes, and to deal out obastisement in advance. I ask them to remember, that by the oaths of the Catholics, oaths which we are bound to believe, we have their solemn engagement to defend and preserve the constitution as by law established. If you acknowledge that the church can only be supported on the ruins of Irish liberty, then I say that the church ought not, and cannot, be so supported. The church was established, that men might resort to it for consolation and hope; it was not made for the King, or for the Court, or for men of fashion exclusively. For the people, it was instituted; and by its beneficial effects on the people, must its excellence be appreciated. It was with this persuasion, that the Kirk was established in Scotland; but widely different was the policy with respect to Ireland. Upon no other principle, however, can the church be really recognized as the house of God. It is no longer than it adheres to that principle, that it has any foundation in Christianity; when it deserts it, it becomes the asylum of pride, of avarice, of bigotry; an establishment nourished by the worst vices of our nature; and fulfilling its baneful purposes, unlike the church of a Christian God, by dividing, oppressing, and apostatizing mankind. In a political sense, the Irish hold every thing by the same tenure as their fellow-subject in England; the landlord and tenant claim equally by virtue of the act of settlement. If the government of England chose to say, that the church of Ireland is not to be secured by law; by the allegiance of the people; by the coincidence between the people and their liberties, but by the title of right and claim of conquest; if they so chose to blaspheme their title, they must then come to this; they must pause to consider between the laws of God and the policy of man; they must put

their own wisdom into one scale, and in the other, to be weighed against it, place the Almighty!

Let us avoid any situation, approaching to such a state of things. Upon these various considerations, I submit it to the good sense and justice of the House, that such remaining penalties and incapacities, as attach upon the Catholics, should be removed, that we may unite them with ourselves in a common feeling, in a common cause. I freely admit, that if there should recur a period when a French Pope might occupy the pontifical chair, it would be necessary to guard against the exercise of his influence in the nomination of bishops. This, however, is an additional reason, I conceive, to induce the House to go into a committee, in which this particular branch of the question may be fairly discussed. I shall ever be as earnest as any man in my wishes and exertions, to prevent the chaos and horrors of foreign invasion, or foreign domination.

It has been asserted, that what the Catholics claim is of little value. This is a poor argument against acceding to it. If one person robbed another, would it be any defence of his honesty to urge that, what he had stolen, was of little value to the owner? I know there are some, who are for entering into certain stipulations with the Catholics; this is foolish. You can never gain any thing with a people by conditions: it is the silliest thing on earth to think of conciliating by merchandizing their claims. Many there are, some I know, who imagine, that the Irish Catholic is indifferent as to the fate of these demands. However, that is not the question; you have no right to ask them whether they desire, but ask yourselves whether it is just to grant. If you really think them so careless on the subject, all you have established by the argument is this, "We, by our bad government, have so debilitated you, so broken your hearts, and debased your spirits, that even liberty has become of no account amongst you, and you have no understanding to prize its blessings." Will this be a matter of boast to England? But liberty is not to be made the creature of circumstance or condition. England ought to know this. What made her, what inspired, what raised her to such eminence in the world as that on which she now stands, but this inherent spirit of liberty; this spirit, which she was never so reduced as not to think worth contesting for. Did Mr. Hampden think so? was he so senseless? did he not think, that a naked freeman was a nobler object than a superb slave?

It has been said, that the Catholics of Ireland are too poor and too senseless, to wish for any removal of their disqualifications. By the return made to government, it appears that

the expenditure of that country, which was but lately not more than one million, has been seven, eight, and ten millions. To say, that a country which expends ten millions is too poor for liberty, is false and preposterous. Before the Union, the expenditure of Ireland was, 1,600,000*l.*; and her debt three millions: she had then a free trade, and a free constitution. Since that, she has gone on increasing in debt, and expenditure; she has contributed to England, exclusive of her cattle, her provisions, her men, above sixty-five millions of money; she is the hundred-handed giant, and holding out to you in every hand a benefit. Therefore, when you say to her, that she is too poor for liberty, you talk in language unknown to England; you do not speak the dialect of the people. Depend upon it, when you address Ireland in this jacobite phrase, you will not argue her out of her wish for liberty; but you will argue England out of her respect for her freedom. When you once sully your lips with this meanness, this baseness, and this servitude, you will not convey the poison to her, but you will cast a taint upon your own land, and your own constitution. You need not gloss over your injustice by the idea, that what you refuse is trifling. The Catholics have wisely refrained from stating their grievances in this petition. But what they are excluded from, is not a bauble. Do you know what the privileges are, which you refuse to the Irish Roman Catholics? Do you think they merely relate to some insignificant baubles, or that they are merely confined to the obtaining seats in Parliament? They are excluded from seats in this House; from offices in the bank; from the situation of sheriff; from the best places at the bar; from the highest stations in the army; from any participation in the state. They are deprived of their civil liberties; they are galled by tithes; and what remedy do you offer them? Nothing!

While these grievances remain to be removed, let it not be said, that the Irish are indifferent to them. You wound the Catholic, by taking away from him his civil capacity, and then you vote tithes upon him. You have marked him out as an object of degradation; you have separated him by disqualification from his Protestant brethren. One set of men are at court, and the other are not. You instigate the lower orders to revile each other; and if once a servant of the Crown be permitted to revile and degrade any portion of His Majesty's subjects, that portion cannot be said to be free; that portion is in every sense degraded.

It has been said, that the oath of the chief magistrate is a hindrance to any farther extension of privileges to the Catholics. We suppose this oath to be a check, and we suppose

this check immutable with respect to alleviating, but changeable with respect to grinding the subject. But this oath can by no means in any sense be construed as an obstacle to the privileges of the Catholics. The imposition of the qualification oath did not take place with regard to Ireland till 1782, because the English Parliament had no right to impose any such oath. What then has been done since the Union? You have taken from us a Parliament where Catholics were admissible, and brought us into a Parliament where, by the oath of the King, it is pretended that Catholics are inadmissible. And this is what we have got then by the Union! According to this interpretation, the Union was a most monstrous innovation, for it supposes that religion depends alone for support on pains and penalties; that is, that it is false, and that it does not stand on its own evidence; it supposes that religion is merely a state trick, and that the first magistrate can alone preserve it by the infliction of pains and penalties.

It has been said, that the disqualifying oath is a fundamental law of the land. There are, I will allow, laws which are fundamental; liberty is one of the fundamental principles of our nature; and the laws which support these fundamental principles must be fundamental laws. The declaration of rights, for example, is a fundamental law; but the laws which deprive the Catholics of their liberty are not fundamental. In this way you would have two sorts of fundamental laws; you would have the laws which support and maintain you in the possession of your own privileges, and the laws which consign the privileges of the Catholics to damnation; as if the liberties of 10,000,000 of men could only be secured by making 4,000,000 the enemy of that 10,000,000. We must always remember, that to endear a constitution to a people, it must not be unjust towards them; and that if a people are interested in a constitution, the more likely is that constitution to be lasting. What are the terms of this oath? It declares that mass is to be held in abhorrence, and that it is an idolatry; that is to say, that all those Catholic nations who have been your allies are idolaters; that the Prince Regent of Portugal, whom you are bound to establish on his throne, is an idolater; the Emperor of Austria is an idolater; the King of the Two Sicilies is an idolater; that the people of Portugal, to whom you formerly voted one million, and lately two millions, are idolaters; the Spaniards, your own fellow-subjects of Canada, and four-fifths of your fellow-subjects of Ireland, are all idolaters. Thus the qualification of an English gentleman to serve in Parliament is a libel on his allies, and a libel on his fellow-subjects. It is not easy indeed in all to draw the line

of distinction, and say what laws are not fundamental, and what laws are; but here there is no occasion; for here are laws which you yourselves have declared not to be fundamental, but to be provisory. In the Union with Scotland, you expressly say that this is subject to the discretion of Parliament; you say, "until the Parliament of the United Kingdom shall otherwise provide." Such is the language on this subject, in the twenty-second section of the Scotch Union, and the twenty-fourth of the Irish Union. These laws, therefore, are only provisory, and not fundamental; you have declared it repeatedly; and you have thus abandoned the great argument against the admissibility of the Catholics. By the Union, the declaration of right did not exclude for ever the Catholics: that declaration which signifies this is subject to a future provision. Who are the parties to these Unions? The King and the Parliaments. When I bring up to your table a petition loaded with the multitude of signatures which it contains, let it not be said that the declaration is against them, which the Parliament of England and the Parliament of Scotland, which the Parliament of Britain and the Parliament of Ireland have declared to be no part of the fundamental laws of the land. Why was this clause introduced into the Irish Union? It was introduced for the sake of facilitating the Union; it held out to the Catholics a possibility of the removal of their disabilities in the strongest terms; and it made the King a witness that nothing stood in the way of that removal, that it was a subject free to be debated, that there was no coronation oath against it, and no fundamental law of the land. I appeal to the candour of the House, if this is not a fair construction of the meaning of this clause. I appeal to the common sense and integrity of the nation. I appeal to that old English honour which has, as it were, dove-tailed itself into your constitution. I propose to you a measure which will give you safety, and make your enemies weak. Will you not adopt it? Why then will you support a principle which tarnishes your national faith?

If it is said, we do not like to admit the Catholics to a community of privileges with ourselves, I will ask you if you will allow yourselves to be guided by any such prejudices, to reject a measure which is not more essential to the welfare of the Irish Roman Catholic than essential to your own safety? What would you think of the conduct of that regiment which should refuse to march with another regiment, and to act along with it, because that regiment was Roman Catholic? Why will you allow yourselves to be under the influence of such uncharitable prepossessions? What must be the conse-

quence? If you will not tolerate one another, you must at last tolerate the conqueror. England is nothing without Ireland, and Ireland is nothing without England. Do you not know that the preservation of your own religion, your liberty, and all your privileges depends on the success of your efforts against the French? Do you not know that your success depends on your union among yourselves, and that, if instead of being united, you split and separate, you are a ruined nation. The government may tell you, you can wait. Yes; God Almighty may wait, but will the enemy wait? I now tell you, unless you tolerate each other, you must tolerate a conqueror. You will be enslaved and plundered; for confiscation will surely follow in the train of conquest. Thus, your property will go to other hands, and you will be a ruined nation. You may be a very grave nation, and a very wise nation; but if in one part of your policy, which is the most essential, you fail, if you split among yourselves, you are a ruined nation. That one error will be your death. It will render you incapable, with all your valour, to contend successfully against your foe, but even to preserve your existence as a nation. I have often wished that some guardian angel would descend, and raise those sectaries from the plain of this world, above the little Babel of their own dissensions; and show them the calamities which were approaching; show them, in the continuance of their jarring, ruin visible; show them France, or rather, hostile Europe, arrayed against them; and then say, "if you join you may live; but divided, the destruction must be universal."

Amidst all this discussion and dispute about tests, there is one test which has missed the wisdom of the wise, which the politician has not discovered, and which the divine, in his heavenly folly, has also not discovered, but which has been discovered by the common man, and that is, that you must allow every man to follow his own religion, without restriction and without limitation. Catholicism and allegiance are compatible with one another. The Catholics constitute a great proportion of your armies; a great proportion of your marine force are Catholics; you continue to recruit your forces with Catholics. A statement has been furnished of the proportion between the Protestant and Catholic part of the forces quartered in the Isle of Wight, and of the crews of several ships at Portsmouth, and the Catholics were by far the greatest proportion: I do not say that the number of each persuasion amount to exactly what has been there stated; but I say, that in a view of our maritime and land forces, the number of Irish Catholics are such as to be enough to turn the scale

of empire. They have enabled you to vanquish those French, for a supposed attachment to whom you disqualify the Irish Catholics. The Russian, the Austrian, and the Prussian armies fled before the armies of France. Neither the insensibility of the Russian soldier, nor the skilful evolutions of the Prussian, availed them in the day of battle; they all fled before the French armies; so that, with her collected force, she gave a final stroke to the liberties of Europe. Whatever remained of the glory of Europe fell at the feet of France. In the last contest with Austria, feats of courage were displayed by the Austrians such as could be equalled by nothing but the courage that conquered them, and yet the armies of Austria were in a short time shattered by the armies of France. And if in another part of the continent you have been enabled to oppose that nation with more success, to whom was that success principally to be ascribed? It was to the Scotch Presbyterian, a steady and gallant soldier; it was to the Irish Catholic, whom you have incapacitated from honours and rank, and who, while he was exposing to every breeze his garments bathed in the blood of France, was also carrying about him the marks of your disqualification. One regiment, which had lately distinguished itself in a remarkable manner, was raised in Dublin, almost entirely of Catholics. Had the gallant officer* who raised these men, raised soldiers on the principle on which we admit members of Parliament—had he insisted on their renouncing the eucharist, and declaring their abhorrence of mass, France would have had one eagle the more, and you would have had one regiment the less; but that gallant man, far above the folly of theology, did not stop for the sanction of either priest or parson, but told the soldier to draw for his country.

The question is, therefore, whether Irish Catholics are, or are not as capable of allegiance as the Protestants are, of which one should think there could hardly remain a doubt. And if I can collect at present a general sense in favour of the claims of the Roman Catholics, I shall be of opinion that the country may look to the issue of the present contest without dismay, and that she has such a security within herself, that she may behold the utmost efforts of the enemy with tranquillity. Mr. Grattan then moved, "That the petition of His Majesty's Roman Catholic subjects be referred to the consideration of a committee of the whole House."

The motion was supported by Sir John Hippisley Cox, Mr. Wm. Tighe, General Matthew, Mr. Herbert, Mr. Ponsonby, Mr. W. Smith, and Mr. Whitbread. It was opposed by Mr. Bankes, Dr.

* Lieut. Gen. Sir John Doyle.

Duigenan, Mr. C. Adams, Mr. Stephen, and the Chancellor of the Exchequer (Mr. Percival), who denied that the Catholics could found their demands upon any claim of right. Political power was not the right of any individual. The gentlemen who had spoken so much of the Irish, were themselves not infallible; they were at one time the supporters, and at another time the opposers of Dr. Milner. They were not only mistaken with respect to him, but mistaken with respect to the veto. At one time the Irish would grant it; at another time they would not; this argued a distrust of their declarations. In reply to the Chancellor of the Exchequer,

Mr. Grattan rose and observed, that he knew how irksome it was to them to hear any further arguments at that late hour; but something had fallen from the right honourable gentleman who spoke last but two (Mr. Percival), which required animadversion. He had said, that he (Mr. Grattan) had changed his manner of introducing this question. It was his duty to show how mistaken he was, and that he had utterly misrepresented the part which he had taken. He did not abandon the statement which he then made. He had said, that he (Mr. Grattan) had excluded foreign nomination then, and that he abandoned it at present. He did not abandon it. He said it would be necessary to prevent French nomination, but that that was matter of regulation; and he added, that they should act handsomely towards the Catholics in the first place, but also that they should take from them that security which the state might require. He had in this done better than the right honourable gentleman, with his degrading concession. The right honourable gentleman had said, that he had once pronounced a panegyric on a certain doctor; he never had. He had said that he was our little deity; he never said any such thing. The right honourable gentleman said, that he (Mr. Grattan) undertook to speak the opinion of the Catholics of Ireland; he had never said any such thing. He had surely said, that he was informed by Dr. Milner that such were their opinions, but he never undertook to promise for their truth. The right honourable gentleman had said, that he had expressed himself, that to pay tithes to the Protestant clergy was against the canon of the Almighty; he said no such thing. He had said, that when they were taking from the Catholics their tithes, and taking away from them their qualifications, that that was against the canon of the Almighty. Let them take tithes: very well; but why also take away their civil qualifications? This was a doctrine of the right honourable gentleman; and it was an abominable doctrine, though he dared to say it was his sincere faith. Were you to take from a people their civil capacity, because they paid your church? This was an attack on the rights of

the Catholics, and went to separate the morals of religion from religion itself. It was of the utmost importance never to separate morals from religion. In taking away from one-fifth of the empire their civil qualifications, the right honourable gentleman said, he had no charge to bring against the character of the Catholics. Indeed! and did he profess that they were eternally to lie under the deprivation of their civil privileges, while no charge was to be imputed to them? He calls civil capacities power. He (Mr. Grattan) did not care by what name the exclusion went, it was enough that it was an exclusion from the state, from the legislature; and was not that an exclusion from civil capacities? It was not in the art of a minister's declamation to alter the nature of things. The Catholics, he says, will destroy the church; and he goes on and states, that if they destroy the church they will destroy the state; and he goes on to state, that if they destroy the state they will destroy the church; for this was the whole of his argument; it was echo upon echo, repetition on repetition. He urged no argument; he relied on the force of his vociferation in place of argument; he had never attempted to prove any thing that he said: he said, I think, and I think; and he thought wrong. He had said, he had no objection to the character of the Catholics; and yet, before the Catholics could destroy the church, they must be perjured. This is the having no objection to the character, to suppose them perjured. He had called me the declaimer for the Catholics; I say, that the right honourable gentleman is the declaimer for bigots; and if ever there was one declamation without any share of truth or eloquence, it was that speech which he had made against one-fifth of His Majesty's subjects. He has given another reason for their disabilities; the Catholics serve in your army and navy. (A laugh from the opposite side.) The honourable gentleman laughs; but gentlemen who side with ministers are accustomed easily to laugh. What did he mean but this, when he said, if you had their service under the disabilities, why remove them? Well, then, he gave up his charge; he allowed they were base, because what pretence could he have to refuse these privileges, but disaffection? If that be his conviction, let him refuse them. But if the Catholics were bravely serving in your army at the expence of their blood, that argument could not be too justly abominated. It showed how much men could be carried away by fanaticism and bigotry; it showed how apt they were to swerve from moral duty. What was the solidity of the argument, that if the Catholics fought well in the army abroad, that they would fight equally well

under degradation at home. He strives against you at home, because you oppress him; and he fights for you abroad because you there trust him. It was easy to point a repartee to any thing, but it was not so easy for the right honourable gentleman to point an argument. Because the Roman Catholic pays your church and fights your battles, therefore he is to be disqualified. The right honourable gentleman had showed in this a higher spirit of bigotry than he could have expected from a politician; but his country would show him that it was not in the power of a declamatory minister to prevent them from obtaining their object. He had maintained that the Roman Catholic having a religion, was in itself no disqualification, and that if he was free from treasonable practices, he stood precisely as any other dissenter who was a Protestant. If the first was right they were right, because their political opinions were unimpeachable. Would they, without enquiry, refuse to admit that portion of their fellow-subjects, to a participation of privileges, whose loyalty could not be impeached. The right honourable gentleman had shown no reason why they should be either excluded from the state, or the army, but he has shown reasons sufficient to disqualify himself from continuing to be any longer minister of the country.

The House then divided: for the motion 83, against it 146; Majority against it 63.

Tellers for the Ayes, Mr. W. Smith, and Mr. Hutchison.
Noes, Mr. Bankes, and Sir George Hill.

IRELAND.

LORD MORPETH'S MOTION FOR A COMMITTEE ON THE STATE OF IRELAND.

February 4. 1812.

IN 1811, the Roman Catholics, with a view to further their emancipation, resolved to depute a certain number of individuals from each county in Ireland, to act on their behalf, and promote their views, in the attainment of the objects of their petitions, which they had so frequently presented to Parliament, and which had as frequently been attended with bad success. Many of their delegates were accordingly appointed, and they proceeded to meet; upon which Mr. William Wellesley Pole, then Secretary to the Lord-lieutenant of Ireland, issued, by the direction of government, a circular letter, whereby he declared, that assemblies

met for such purposes were illegal; and he authorized the magistracy to enter and disperse them and, if necessary, to commit to prison.

The Irish government (the Duke of Richmond Lord-lieutenant). determined to prevent the Catholics from assembling; and the Catholics determined on trying the right. They accordingly met in the month of October; and in December, application was made to the Chief Justice to issue his warrant, which he accordingly did; and Lord Fingall was arrested in the chair of the assembly, together with several other members. Informations, *ex officio*, were granted against two of the delegates (Dr. Sheridan and Mr. Kirwan). The trials took place in the Court of King's Bench in Dublin, before a full bench of judges, — Chief Justice Downes, and Justices Day, Daly, and Osborne. After a long trial, the jury found a verdict of Not guilty, in the case of Dr. Sheridan. The government, however, proceeded with the trial of Mr. Kirwan, and on the same evidence, but by another jury, a verdict of guilty was returned. It appeared in the evidence, that the list of the jury had been delivered by the Under Secretary (Sir C. Saxton) at the castle, to the Crown Solicitor (Mr. T. Kemmis), and by him to the sheriff. In consequence of these measures, the country was thrown into great agitation; the spirit of party was greatly embittered; and the whole of the proceedings having appeared not to be perfectly consonant to the spirit of the British constitution, or to those principles of justice which should ever distinguish British jurisprudence, Lord Morpeth gave notice, that he would bring forward a motion on the subject: on the 3d, he rose in pursuance thereof, and after having dwelt upon the situation of Ireland, the agitation which the conduct of government in their legal proceedings had occasioned, and the construction put upon the convention act, he moved, "That the House do resolve itself into a committee of the whole House, to take into consideration the present state of Ireland."

The motion was seconded by the Marquis of Tavistock; and was supported by Lord George Grenville, Mr. Hutchinson, and Sir Arthur Pigott.

It was opposed by Sir John Nicholl, Mr. Peel, Mr. Canning, and Mr. Pole (Secretary for Ireland). Sir Arthur Pigott observed, that it was necessary to enquire into the alarming state of Ireland, which had been driven from its quiet situation, by the enterprizes of His Majesty's ministers. The object that the Irish Parliament had in view, when they passed the convention act, was to prevent a threatened meeting at Athlone; but the act expressly saved the right to petition, and merely prevented the election of persons to unlawful assemblies, "*under pretence of preparing petitions*;" that is, persons who met together under false allegations. With respect to the proclamation of last July, authorising magistrates to enter the Catholic meetings, and to disperse them, he asserted that the magistrates had not a right to interfere, except in cases of treason, felony, or breach of the peace. The offence for which the Catholic committee was arraigned, was a misdemeanor, which could only be proceeded against by an *ex officio* information, or a

presentment to the grand jury to be tried in a court of Oyer and Terminer. He doubted much the legality of the authority which the circular letter and proclamation gave the magistrates, to commit the persons who assembled in Liffey-street Chapel. He observed, that government should have proceeded by proclamation instead of issuing a circular letter. It was also a just ground of complaint, that the informations against the members of the Catholic committee had been laid before the Chief Justice: he thought this proceeding indecorous, the more so as the Chief Justice was to preside at the trial; and it was essential to the purity of justice, that no communication should take place between him and the Crown on judicial matters. He was persuaded that in such a case, the Chief Justice in England would have refused to grant his warrant. Mr. Canning and Sir John Nicholl entered at large into the consideration of the Catholic question. Mr. Canning expressed himself strongly in favour of the policy of granting the Catholic measure, but was against the motion. Mr. Pole thought himself bound to explain the proceedings of the Irish government. He considered the motion to be an attack on the conduct of the Duke of Richmond, and entered into a long detail of the entire transaction. He stated that the Catholic committee was formed in 1793, was revived in 1809, and again re-established in 1810; and on the 9th of July, 1811, it was resolved that this committee be re-appointed, and be composed of the Catholic peers of Ireland; their eldest sons; the Catholic baronets in Ireland; the prelates of the Catholic church; of ten persons from each county in Ireland; of five from each parish in Dublin; and of the survivors of the delegates of 1793; in all they would have amounted to 473. These proceedings were laid before the crown-lawyers, who were of opinion, that they were a violation of the convention act; and on the 20th of July, a dispatch, communicating these circumstances, was sent to His Majesty's ministers. On the 22d he (Mr. Pole) was directed by the Lord-lieutenant to see Lord Fingall upon the subject. He had the interview on the 25th. He stated the sentiments of the Lord-lieutenant on these proceedings; and, after much expostulation and strong representations thereon, he stated that government would be obliged to take some steps to avert the threatened danger; but that Lord Fingall should be apprized of them. On the 29th, a dispatch was received by the Lord-lieutenant from His Majesty's ministers, approving of all that had been done; and on the 30th, he had another interview with Lord Fingall, similar in most respects to the former; but at the conclusion of which, the Lord-lieutenant and Lord-chancellor (Manners) came into the room. They both stated to Lord Fingall the sense they entertained of the danger of such meetings, and the necessity of their interference. He (Mr. Pole) also stated to Lord Fingall that the opinion of the law-officers in Ireland and England, and that of the cabinet ministers in England, concurred in thinking the proceedings of the Catholics as contrary to law. Lord Fingall then expressed his desire that he (Mr. Pole) should write to him a letter, stating the determination of government, that

he might lay it before the committee. The letter mentioned that a council was to be held, to consider the expediency of issuing a proclamation declaratory of the law, and of the course to be adopted to enforce it. On the 31st the Catholics met, (Lord Fingall in the chair,) and resolved, that they would continue and persevere in the course they had maturely adopted, for the sole, express, and specific purpose of preparing a petition or petitions for the participation of the rights of the constitution; and that, in so doing, they did not violate it, but that they acted in strict conformity with its soundest principles. They also republished the resolutions of the 9th of July, appointing the committee, composed as already mentioned. The government proclamation was then issued, and after that, the elections did not proceed, one excepted, in the county of Meath, where Lord Fingall presided; and, in consequence of which, law proceedings were directed to be taken against him and other persons who attended. Mr. Pole defended the conduct of the government in issuing the warrant by the Chief Justice; the signing it was a mere official act, and the crown lawyers had recommended it. On the 19th of October the committee met, and quietly separated; but on the 23d of December they assembled again, and the magistrates then dispersed them. On the 26th an aggregate meeting was held, and violent resolutions, condemning the proceedings of the Irish government, were adopted. Mr. Pole then stated the danger likely to result from such a meeting, the former violence of the Catholic assemblies, and how impossible it would be for any government to go on with such a body sitting in the very metropolis: he alluded to the statement of penal laws, (an elaborate detail of the laws affecting the Catholics, and supposed to be written by an eminent Catholic barrister) which work he severely condemned, and he concluded by expressing his conviction that the Irish government had acted wisely. Mr. Sheridan censured, in severe terms, the speech of Mr. Pole, and moved the question of adjournment, which was carried without a division. On the 4th the debate was resumed, and the motion was supported by Sir John Newport, Mr. C. Wynn, Mr. Parnell, Mr. Whitbread, Mr. Ponsonby, Mr. Tierney, Mr. Elliott, and Sir George Warrender. They set forth the policy of conciliating the Catholics; that the dangers of the country, as well as common justice, should induce them to grant the Catholics their demands; till that was done, it could not be expected that the Catholics should be contented; as for the construction put upon the convention act, it was forced and unnatural. The words *under pretence* were perverted, and were construed to mean "*for the purpose.*" The circular letter had even been condemned by some of the government, and the Lord Chancellor (Eldon) had termed it a "*slovenly production:*" at the time the convention act was passed in Ireland, the Catholics applied to Mr. Hobart (then secretary), and he had assured them, that the act was not intended to affect them, or their meetings: that since the year 1787, Catholic committees had been recognized and permitted by different governments in Ireland. Mr. Ponsonby stated, the view he took of the act was different

from that which the King's Bench had declared ; that objections had been constantly made in the House to the Catholic petitions, either that they were the growth of a faction, or that they did not speak the sense of the people ; or that the lower orders were indifferent to the subject ; or that the clergy had not expressed their opinion on the extent of their wishes : to obviate all these objections, this delegated meeting had been selected to express the sense of all the different classes of His Majesty's Catholic subjects. The motion was opposed by Mr. C. Adams, Mr. W. V. Fitzgerald, Sir John Sebright, Mr. Manners Sutton (afterwards Speaker), Lord Castlereagh, Mr. Ryder (Secretary), the Chancellor of Exchequer (Percival), and Mr. Croker. They censured the proceedings of the Catholics, and contended that no government could permit such a numerous body to assemble and canvass the measures that should be submitted to Parliament. They defended the conduct of the Irish law officers ; and in particular that of Mr. Charles Bushe (Solicitor-general), of whom Mr. W. Fitzgerald deservedly spoke in the highest terms, adding, that he was well known to be amicable in disposition to the Catholics, and a man of whose splendid talents and ability Ireland was justly proud.

Mr. GRATTAN said, he had desired to have the motion read, inasmuch as he thought that the reading was the best answer to the commencing part of the right honourable gentleman (Mr. Pole's) objection. The right honourable gentleman had complained, that it was an extraordinary, an unwarrantable, and an uncandid motion ; a proposition to enquire into the state of Ireland, he deemed worthy of such a censure ; as if it was not very just, very parliamentary, and sometimes very necessary to appoint committees to enquire into the state of the nation : if more committees of that sort had obtained, the condition of the nation would have been more prosperous ; such a committee, with regard to Ireland, is more necessary, because Ireland is a distant nation, of whom you have said much, and enquired little : her people, their dispositions, their condition, and their grievances have not sufficiently occupied your attention, nor have they been sufficiently made a subject of your inquiry ; witness, the various speeches in this House with regard to them, and the monstrous errors by which those speeches are distinguished. The right honourable gentleman has further objected to the motion, because, as he said, it contained a reflection on the judges. A motion to enquire into the state of the nation, does not *ex vi termini* import an accusation of the judges ; but if the conduct of the judges becomes a public grievance, that conduct, or more properly, that misconduct, must, to such a committee, become a matter of animadversion. With regard to the Court of King's Bench in Ireland, I respect it. Mr. Justice Downes, who had been a subject of debate, is a man of great integrity and knowledge.

Mr. Justice Day, another judge in that court, is known to be possessed of the most decided sentiments in favour of the franchises of the Catholics: he is my most early and intimate friend; a man of a sound understanding, and the best heart in the world: but it does not follow, because I respect the judges of the King's Bench, that I should not vote for a motion to go into the state of the nation, as if such a motion did of itself import their criminality; or, as if we ought not to enquire into the conduct of judges, supposing the fact to be that their decisions had been erroneous.

It is not, as had been asserted by the right honourable gentleman, the peculiar province of the House of Lords to take notice of the proceedings of the judges; it is the province of both Houses of Parliament, and the duty of the House of Commons not only to enquire into their proceedings, but, in the event of their misconduct, to address His Majesty for their removal. If the motion of the noble lord imported that, it was still constitutional; but his motion imports no such thing. Having thus answered the objections of the right honourable gentleman, to the comprehension of the motion, I beg leave to observe on his defence of the Irish administration. The right honourable gentleman has said, that, in point of law, they were right; and, that even if they should be found to be wrong in the point of law, they were justifiable, notwithstanding; he has not thought proper to go into the point of law, and in that respect I shall follow his example; it is not necessary for me to give any opinion on the legality of the point, which belongs to the profession; because, even if the delegates were mistaken in the law, the right honourable gentleman has furnished their apology; he has said, that should the government prove to have misconceived the law, they have acted under the authority of their lawyers; to which I beg leave to add, that should Lord Fingall have mistaken the law, he has acted under the authority of his lawyers. I am willing to give every credit to the constitutional advisers of the Crown; nobody admires more the abilities and the splendour of the Irish Attorney and Solicitor-general; I have acted with them in politics, and know their virtue; but yet I cannot withhold my tribute of praise and confidence to the counsel on the other side, and to their political virtue and professional ability: if then, the advice of counsel is to be an excuse for the state, so let it be for the delegates. Still less, are you to say with the right honourable gentleman, that the delegates have not only mistaken the law, but that, on account of such a mistake, the whole body of the Catholics is to remain in perpetual disability.

When Lord Fingall refused to the government to decline the chair, he was probably influenced by this sentiment, that, being advised by his counsel that the law was on his side, he could not abandon his brethren. You will further consider before you adopt such an idea, as would reject the claims of the Catholic body now, on account of the conduct of certain individuals among them ; what has been the example which the Protestants have afforded, and which the Catholics themselves have been not only suffered to adopt, but have been in a very signal manner by the ministers of the Crown encouraged and rewarded. I allude to the numerous conventions which have at different times taken place in Ireland ; the Protestant convention at Dungannon, in 1782, which was followed by a parliamentary claim of right ; several Protestant conventions that came after ; the Catholic convention of 1793, of which the delegates were received at court, their petitions presented to His Majesty, and by him recommended to the two Houses of Parliament, and attended by an acquiescence in their claims. It is extremely natural for the Catholics to look at such a mode of redress now, provided it could be done legally, being instructed by their counsel (which, according to the right honourable gentleman, is a sufficient apology) ; such a step was legal, and they naturally resorted to it : it is not necessary for me to say how far, in so doing, the delegates were legal, or justifiable ; but it is sufficient for me to say, nothing in their proceedings can justify the denunciation of the other side, that the incapacities of the whole Catholic body should be prolonged. It is not my business to give an opinion on the conduct of the Catholic committee, which is now before the court, and must be decided by juries : they had been acquitted by one jury, and convicted by another, and future juries must decide ; but I will not hesitate to pronounce one verdict on this question, namely, that *we are guilty* ; we are guilty of all the violence we charge on that body ; we have deprived three-fourths of the people of Ireland of their civil and political qualifications, and now you are angry because they have spirit enough to tell you so.

With respect to the act in question, give me leave to say a little. I gave it my decided opposition. I did so because it went to deprive the people of an effectual representative convention. It declares and enacts, that all representative conventions, assembled for the purpose of procuring an alteration of matters established in church or state, are unlawful assemblies. You will observe, the crime consists, not in delegation, but in that species of delegation which is accompanied with that confidence and power that constitutes representation.

The bill, in general, contains a reflection upon the past measures of Ireland, in obtaining her rights and privileges, and reflects on the brightest passages of her history. Those rights, the bill could not take back; it reflects upon the mode of acquiring them. There certainly had been too many conventions in Ireland; perhaps more might have been at that time projected; it was in consequence of that, the bill took place; a bill unnecessary on that account, because such future conventions might have been left to the law of the land; a bill, whose declaration questions the legality of the Revolution, and the bright consequences that followed that great measure; a bill, whose clauses, whether you consider the word "*pretence*" or the proviso that saves the right to petition, seem framed equally to perplex the government and the people. I beg to observe upon this part of the subject, that to the interposition of conventions, we owe our liberty; and to their infrequency, its tranquil preservation. It is a power I wish the people should retain, and seldom exercise.

With regard to the general question of disabilities, I see no reason to abate my conviction for any thing that had been introduced in the debate. The learned civilian (Sir J. Nichol) has produced his objections; but his objections, like those that had been made on former debates, carry with them no conviction. He has talked much of the right to impose incapacities. Whatever right this Parliament had over Ireland, arose from the union; and the great inducement by which the union was obtained, was the removal of those incapacities, and therefore you are, in honour, obliged to remove them. I have no hesitation to say, this Parliament has no right to disqualify the people of Ireland on account of their religion. Religion is the duty which they owe to God, independent of you or any human establishment. The learned civilian has said, that by the constitution, this was, and must be a Protestant House of Commons. In that I differ from the learned civilian *toto cælo*. Before the 30th of Charles II. Catholics sat in Parliament. There is no law, or oath of religious uniformity, affecting either House of Parliament. The oath you take, does not swear you to any religion; a Deist may take it, an Atheist may take it, Lucifer might take it, but a Catholic cannot; and you have made the oath to exclude him, because you consider his religion an evidence of treason; that is, of his connection with a party, whose politics would overturn the succession to the crown. You have acquitted the Catholics of that charge. Your resolutions of thanks are nothing less. It remains then to repeal the law of disabilities, which has no other foundation except that supposition of treason and dis-

affection. The learned civilian went on to say, that he would postpone the removal of those qualifications until the Irish peasant became more civilized. Nobody laments more than I do, the sad consequences of the English statutes, that took from Ireland her trade as well as her constitution: but I should do injustice to England and to Ireland, to say, that those acts of power have left the peasantry of Ireland barbarous; certainly, if the Irish peasant is poor, or in any degree barbarous, you are the cause; therefore, when gentlemen reflect upon the people of Ireland, they accuse England, and the cruel policy of their own country. But the learned civilian has aggravated the misconduct of England towards Ireland, when he said the Irish peasantry were barbarous. They are an affectionate and a faithful race of men; they are besides, his constituents; and, now by law, part of the Commons of the empire.

The learned civilian has said, that the Catholics have not been conciliated by concession. The learned civilian has received to that observation, from a right honourable gentleman, — an answer brilliant and profound. Give me leave to add two facts, which will go to refute the learned civilian's objection: the repeal of some of the Catholic disabilities in 1793, was not followed up by a mildness on the part of administration; on the contrary, as the law relaxed, the Irish minister became more hostile. — See at that time the publications of government, and its proceedings. The constitution was less hostile, and the Irish minister more so. Another fact I beg leave to observe, in answer to the learned civilian's objection, that, before the repeal, you had no Irish Catholic in your service, and since the repeal, they have swarmed into your ranks: so that the strength of your empire increased as your penalties diminished. The learned civilian has gone on to suppose a case where the King and the two Houses of Parliament were Catholics; and he asks, what should we then do? I answer, I cannot say. But let me suppose a case less supported by fancy, but more within the range of possibility. Let me suppose a French army landed in Ireland, what would the Catholics do? I say, fight the French; most certainly it is their interest and duty; but if they should not, you are the cause of it, and those ministers who continue to impose disqualifications on three-fourths of the people of Ireland. Let me suppose ministers impeached on such an event, for the loss of Ireland: this would be their defence: We hated the abomination of the mass, we trembled at the eucharist, and we were afraid of the Pope and the Virgin Mary! If these terrors would not be sufficient to

acquit the ministers, they ought not to be sufficient to convict the people.

A noble lord has objected to the mode of proceeding in the Catholic business, because we began by moving for a committee; give me leave to observe, it is the usual way of proceeding in matters that regard commerce, constitution, or religion. In Ireland, the commercial propositions began in a committee; in England, the final adjustment with Ireland began in a committee; the claim of right was referred to the two Houses of Parliament; they resolved themselves into a committee to take the subject into consideration; referred to that committee the Irish claim of right, and resolved, upon consideration thereof, that the English act, claiming a right to bind Ireland, should be repealed. The right honourable gentleman has called for some condition from the Catholic body, as a further security for the church; but I beg leave to observe to the right honourable gentleman, that he has no right to make any such demand, because he is an enemy to the repeal of the disqualifying acts, conditionally or unconditionally, and when he makes a demand, he only requires new matter for objection; but this I will say, in answer to that gentleman, that I conceive there is no impediment to prevent us from repealing the disabling code, with security for church and state, save only the opposition of His Majesty's ministers.

When gentlemen ask for further security for the church, they do not express what security would satisfy them; but, indeed, they rather seem to suggest that there is no practicable security that would content them. Now give me leave to suggest, that there is one security which I believe to be indispensable. I beg leave to explain what this security is. The church, established by law in Ireland, is the church of England; but the established church, for the most part, in justice, should be of the religion of the people. The establishment of the church is not made for the King, nor for the lords and ladies of the court; it is made for the people: so it is in Scotland; in Ireland it is otherwise. You have established your own church in Ireland, and have made the people pay it; but you go farther, you disqualify three-fourths of Ireland for that church,—the church of another country. Such is your argument; the better to secure the church you disqualify the people: but if you wish to secure that church, repeal the disability; until then your church is established in injustice, and you create a question between the establishment of the church on the one side, and the privileges of the people on

the other. Those privileges are the security of your church, and those disabilities, its danger.

I am the more convinced of the truth of this, and of the necessity of removing the disabilities that affect the people of Ireland, when I behold the progress of their disquietude; ever since the policy of Europe, with regard to religion, had changed, and the Emperor of Germany repealed the laws that were penal on the Protestants, the Irish penal code became a subject of discussion, and ever since 1792 a subject of disquietude; for instance, in the year 1792, when the Catholic petition was rejected, in 1793 when the petition was received, and the hostility of the Irish government rendered acquiescence unsatisfactory. In 1795, when leave to bring in a bill of repeal was refused; in 1805, when their petition was presented, and a committee was refused; in 1803, when their petition was presented, and a committee was refused; in 1810, when their petition was presented, and a committee refused; in 1811, when their petition was presented, and a committee refused, and now is added to disqualification, a litigation with three-fourths of His Majesty's subjects about their dearest privileges. You go to war with America; you have gone to law with Ireland; the Catholics resort to a new mode of petitioning; the government consider that mode to be unlawful; the government issue ten informations against the delegates; the delegates persist, are arrested, and bring three notices of actions against the magistrates, and five against the Chief Justice; the printers publish the proceedings of the court, and the Catholics; the court issue six attachments against the printers; these twenty-three suits are supported by an eloquent bar of great legal ability and splendid powers of elocution; those eloquent men must, as in duty bound; mark the errors, and point out the misconduct of the one side, as well as the other; the rudimental principles of government are put in a course of discussion, and the whole machine examined from centre to circumference; whatever has been committed in history on either side, the conduct of Parliament, and the rights of the people, must of necessity form the subject of their eloquence; animated by two auxiliary spirit-stirring subjects, the freedom of person, and the liberty of the press. Wait, say gentlemen, for the discussion of three-and-twenty suits, and the return of public repose. Unfortunately for that repose, it happens that the law in question seems formed and calculated for renovated litigation; the best lawyers differ; eagle against eagle, long robe against long robe, verdict against verdict, now a defeat of the government, now a defeat of the people!

The convention act says for instance, all representative

bodies met under pretence of petitioning for the alteration of matters established in church and state, are unlawful. "Under pretence," says one side, means "under pretence." No, says the other side, "under pretence" means "under no pretence," but "for the purpose;" and they quote, with great plausibility, the authority of statutes. Again there is a proviso which saves the right of petition from the operation of the bill. You had no right to petition by representation, you legislate by representation, and petition in person. Aye, says the other, but you might have prepared a petition by representation, though you could not have signed it. Again, a question arises, what is representation? The bill makes representation the soul of the offence, and leaves you to guess what that representation may be, whether delegation in itself means representation, or what species of delegation imports representation, or what quantity of power and of confidence must be given, in order to constitute that crime; this is bad for the public repose: but this is not the worst, it is much worse that the evil arises not from temporary causes, not from any bigotry in the Lord-lieutenant, or his secretary: the defence made for these gentlemen, is a decisive argument for the repeal of the disabling code: these gentlemen, it is said, came to the country without enmity to the Roman Catholics; admit it, it is the disqualifying law; the evil arises from the law: the law has disqualified three-fourths of the people, and you must repeal the law to remove their disquiet; you have stopped the circulation in the political body, and she naturally falls into convulsions.

I venture to affirm, that as long as those restrictions remain, no administration, whig or tory, can govern Ireland, with repose to itself, or satisfaction to the community. It will be an alternate victory of a Protestant government, or a Catholic people. I am against such victories. I would not enfeeble the government, or break the spirit of the people. I do not desire the triumph of one sect over the other, but the triumph of both over their common prejudices; and in the triumph of both, you will find the consolidation of the people, and the strength of your empire, — a tranquil people, and a combined empire.

I think I have shown you, that hitherto the people of Ireland have been discontented under the penal code. What will they be now? A new question arises, not whether the Catholics of Ireland shall be under a temporary disqualification, in consequence of a temporary bar, but whether they shall be disqualified for ever? You will have this session to pronounce the doom of the Roman Catholics, whether their lot in the British empire is to be eternal disqualification. Sir, you can-

not impose it, the very sound is horrible. What! take away the Irish Parliament, and then exclude the Irish from your own. What! use the prospect of admission into this Parliament as an inducement to procure the abolition of their national Parliament, and then make their exclusion from the English Parliament eternal! You take away the government of their country, you take away the Parliament of their country, you take away their church, you establish your own, you make them pay that establishment, and then disqualify them! This people, with their fellow-subjects, pay you in rental two millions; they pay you in commerce at the current price near ten millions; they pay you revenue, six millions; they bleed for you in every quarter of the globe! and you propose to disqualify them for ever: you cannot do it; your good sense and your good feelings forbid it; the feelings of your countrymen forbid it;—it is an interdict, horrible, unnatural, impossible!

That you may, in your present difficulties, triumph, is the sincere wish of my heart; but as Ireland must be one great instrument of your success, so must she be a partaker of your advantages: she shares your danger, she must share your privileges.

The House divided, at half-past five in the morning, on Lord Morpeth's motion: for the motion 135, against it 229; Majority 94.

Tellers for the Ayes, Mr. W. Wynne, and Mr. Freemantle.
Noes, Mr. Peel, and Mr. Croker.

GRANT TO MAYNOOTH COLLEGE.

SIR JOHN NEWPORT MOVES A GRANT OF 13,000*l.* IN LIEU OF 9,000*l.*

March 9. 1812.

ON this day, the Irish miscellaneous services were read, on the grant of 41,539*l.* to the Protestant Charter Schools. Mr. Pole appealed to Mr. Grattan (one of the members of the Board of Education), for his opinion respecting these schools.

Mr. GRATTAN said: That having been referred to by the right honourable gentleman, he rose merely to observe, that the commissioners of education in Ireland, had made an extreme good report, but it was not within the purview of their commission to suggest or follow up any new plan for con-

ducting the Charter Schools in a way differing from their original institution. He must say, however, that since the report of the commissioners of inquiry, in 1788, these schools were very much improved, both as to the health and cleanliness of the children, and that it was much better to make ample provision for their maintenance, than to defeat their object by a parsimonious one. The price of provisions had been greatly on the increase; the buildings also of the charity had been greatly improved; and these circumstances sufficiently justified the increased vote, both of the preceding and of the present year.

The grant was agreed to.

On the grant of 8973*l.* for the support of the Catholic college at Maynooth, Sir John Newport rose, and having stated, that the increased population of Ireland rendered a more numerous clergy absolutely necessary; and as foreign education was by the war rendered impossible, it would be advisable, that the grant of 1807 should be continued; he accordingly moved, "that the sum of 13,000*l.* be inserted in lieu of 9,000*l.*." This was opposed by Mr. Secretary Ryder and the Chancellor of the Exchequer (Mr. Percival); the former said, he was averse to give a hostile religion the power of making proselytes; and Mr. Percival objected to the principle of the grant altogether. The motion was supported by Mr. Whitbread, Mr. C. Wynn, Mr. Herbert, and Mr. Grattan, who said,

That he was not aware of the strength of the right honourable gentleman's argument, that because we adopted the original grant, therefore we were not obliged ever to enlarge it. If once the principle were adopted, he contended that the limitation of the sum was only to be fixed by the circumstances of the times: to act otherwise, was nominally to adopt, and ultimately to defeat, the principle. What was the meaning of establishing a Catholic college, if the exigencies of such a college were not to be supplied as they should vary from time to time? The House should recollect, that the Catholic population paid for the Protestant establishment; and it was extremely just that something should be given to them. The grant was not for the propagation, but the practice of the Catholic religion. The question was not, whether we should extend this or that faith by any act in the power of Parliament to make; such a system had been tried in Ireland, but it had failed. Acts had passed, which were mischievous in their operation, certainly disgraceful, and entirely useless for the purposes for which they were intended. Every effort to force conscience would have a contrary effect, because then it became no longer a matter of religion but of spirit to persist

in that faith against which such force was directed. Catholics were Christians, as well as Protestants; and every attempt to destroy catholicity, was an attempt against christianity. The question was, in fact, between christianity, and deism; between foreign, and domestic education. We must choose to educate the Catholics at home, or give them up to deism, or to foreign education; to act otherwise, was forcing the Catholic to be an infidel, or a disaffected man. When the House had once adopted the principle, he thought it was bound honestly to follow up that principle, and to meet the exigencies of the establishment whose existence it had sanctioned.

As the people increased, so increased the demand for religious instruction, and so ought the grant to be increased, from which that instruction flowed. If the grant was not to be increased, then the principle of the institution was only poorly and inadequately met; half the people only could be instructed. The right honourable gentleman had asked, was there any instance of a state having supported a hostile religion? Yes! he would tell him, Ireland. Ireland did now actually support the religion of another country; for, when the right honourable gentleman said, "state," he must have meant by it, not the government, but the nation; and the Catholic people did contribute by taxes to the support of the Protestant establishment. Again, the right honourable gentleman had said, that there was no proportion between the means given for the education of Catholic priests and Protestant pastors. Would any man in his senses have used such an argument? He would ask the right honourable gentleman, was the Catholic rich in proportion to the Protestant church in Ireland? Was the Dublin university nothing? Were tithes nothing? Were bishoprics nothing? Was the half million by which the Protestant church was supported nothing? Would the right honourable gentleman then consider the small, though respectable, number of persons, for whose use these endowments were intended? and would he then compare them to the overflowing numbers, for whose religious instruction 8000*l.* was thought too much? In fact, there was not in the world a richer than the Protestant, nor a poorer than the Catholic church of Ireland. Christianity was the title of the Irish to education. The grant was not to gratify a sect, but to cherish a branch of the christian religion. To deny the necessary grant, was an attempt to starve the people out of their faith, which could not be successful. To deprive the people of Ireland of education, was a struggle for a new victory over them. It was not only destroying their temporal rights, but their spiritual faculties; it was not only

persecuting them in this world, but an endeavour to damn them in the next.

The amendment was supported by Colonel Dillon, Mr. Herbert, Mr. Whitbread, and Mr. Wynn, who complained of the late appointment of Dr. Duigenan to be a privy counsellor. This act and the refusal to permit Catholics to be eligible to the situation of directors of the bank of Ireland, shewed the temper and spirit by which ministers had been actuated towards the sister kingdom. The lesser grant was supported by the Chancellor of the Exchequer (Mr. Perceval), and Mr. Ryder (Secretary). The amendment of Sir John Newport was negatived; and the vote for the lesser grant of 9,000*l.* was agreed to without a division.

ROMAN CATHOLICS.

MR. GRATTAN PRESENTS THE PROTESTANT PETITION FROM IRELAND, IN FAVOUR OF THE ROMAN CATHOLIC CLAIMS, AND MOVES FOR A COMMITTEE TO REVISE THE PENAL LAWS.

April 23. 1812.

ON the 21st, Mr. Grattan presented the general petition of the Roman Catholics of Ireland; also a petition of the Roman Catholics of the county of Monaghan. Mr. Ponsonby presented a petition from the Roman Catholics of the county of Down. Several Protestant petitions were also presented in favour of the Roman Catholics. The general petition from the Protestants of Ireland on their behalf, had been presented on the 20th; and, the order of the day having been read for taking into consideration the state of the laws which affect His Majesty's Roman Catholic subjects,

Mr. GRATTAN rose and said, Sir, I have changed the question, and instead of a committee to consider the petitions I propose to move for a committee to revise the laws. Thus, every person who thinks that redress should be administered, whether in a greater or a less degree, whether by applying to the executive power to take a leading part in the business, (as was the opinion of a right honourable gentleman, whose opinion deserves every consideration,) or by proceeding ourselves to administer relief, must, I say, concur in this motion. The present powers of England chiefly regard Ireland and America; your efforts in other places must be chiefly influenced by fortune, but here you can arbitrate your own destinies; here wisdom may save, or folly may undo: and if you err

here, you loose deliberately, and by your own fault, your strength in the new world, and your anchor in the old.

The question I shall propose is a new one; it was hitherto debated upon the circumstance, it is on the principle you are now to decide. The doom of Ireland lies before you; and if you finally decide against her petitions, you declare that three-fourths of the Irish, and one-fourth of the empire, shall be disqualified for ever. When you say we will not accede to the wishes of Ireland now, and advance no reason, which must not always exist, you mean never, but you do not say "never," because you cannot give to the tremendous sentence its proper denomination — a sentence abominable, unutterable, unimaginable.

The sentence purports to disqualify for ever, three-fourths of the people of Ireland for adhering in their own country to the religion of their ancestors. Recollect that Ireland is their country, and that your power in that country is founded on her liberties. That religion is their right, and the gospel is their property. Revelation is the gift of God, given to man to be interpreted according to the best of that understanding which his Maker has bestowed. The Christian religion is the property of man, independent of the state. The naked Irishman has a right to approach his God without a licence from his King; in this consists his duty here, and his salvation hereafter. The state that punishes him for the discharge of that duty, violates her own, and offends against her God, and against his fellow-creature. You are the only civilized nation who disqualify on account of religion.

I allow that where religion is accompanied with any circumstance that tends to disaffection, the state has a right to interfere; but in that case, it is not the religion that the state touches, but the disaffection, and here that circumstance does not exist, because here we have practical proofs of allegiance. You have read the public papers, you have seen the Gazette. With every repugnance to enquire into the state of the people of Ireland, there are some things which you must know. You know they are fighting and dying in your service, and in this knowledge you learn the falsehood of the calumnies which were once offered against their pretensions; and what is more, oh shame to relate it! admitted as evidence; their opponents said that no Irish Catholic could be loyal to a prince of the House of Hanover; they said that the Irish Catholic must ever hate an Englishman. They were not aware that they implied that the British government had made itself hated in Ireland, and had misgoverned our country from the beginning; they said that the Pope claimed in these realms a

temporal power, that he claimed a deposing power, that he claimed a power to dispense with moral obligations; they said that oaths did not bind the Catholic, and that Protestants and Catholics could never amalgamate. Their charges were calumnies, the common calumnies of a scolding sect. They were received as evidence, notwithstanding they were answered by the impossibility of their truth. Had they been true, the Christian religion could not have existed an hour; had they been true, the Catholic states must have come long ago to moral and political dissolution. They were also answered (they need not have been answered,) by six Catholic universities, — Paris, Douay, Alcalá, Valladolid, Louvain, Salamanca, the best authority upon the subject. I need not refer to the answers; they refuted their calumniators; to silence them was impossible; they state that the Pope had no temporal power in these countries; they state that he has no deposing power; and, regarding the charge of no faith with heretics, they repel the imputation with horror and contempt. These charges are also refuted by the oaths of the Catholics, which the Protestant legislature had made the test of their loyalty. See the oath of 1793; and by another, by the best possible answer, by an answer that sets misinterpretation at defiance, and refutes false logic by sound fact, — by the practical allegiance of the Catholic. You have that evidence before you; you see it in the dispatches which recite your battles; you yourselves, without knowing, have decided upon the fact. What are your votes of Parliament, returning thanks to the Catholics in the army and navy? what are they, but the verdict of the English Parliament in favour of their allegiance? But those votes of Parliament that pronounce the Catholic to be innocent, pronounce the legislature that disqualifies them, to be guilty. Here stands on one side the Parliament with a penal sentence in its hand, and on the other, the Catholic with an acquittal by that very Parliament; thus, under your own authority is the Catholic acquitted, and the Parliament convicted.

With this practical evidence of their allegiance, and this your own seal and sanction, you have divers Protestant petitions in their favour; these petitions are prayers for their privileges, and evidences for their character. And first, where are the petitions against them? where is the petition from the city of London? where are those instruments that were to have overlaid your table? Your countrymen have not come here to mock the calamities of the state, by petitions to defend England at this perilous moment against the Pope and his seven sacraments; they have not aggravated the calamities of

the state, by denouncing an eternal hostility to the civil privileges of three-fourths of the people of Ireland; they have not petitioned for the perpetual weakness of the empire, by demanding an everlasting separation of interest. The church too: I have not seen, in any great degree, its interference; I have not heard the ecclesiastical horn of discord and sedition. Where are the ministers of the gospel, who have left their God to follow the court, to damn their fellow-creatures for pay? Where are the numerous pulpits blasted by the flag of ecclesiastical prostitution? Instead of one religion damning another for stipend and promotion, in the person of dull divines, instead of an ill-advised people coming down to Parliament with petitions against their fellow-subjects, in the character of mad metaphysicians, I see but three petitions against the Catholics.

I see, on the other hand, the address of the livery of London, with a clause expressing a desire that civil disabilities should be removed. I see the sense of this great capital favourable, or not adverse, to Irish liberty and English justice. I see wisdom and justice, truth and security, speaking in the voice of many thousand Englishmen, petitioning in their favour. I see a petition from the Protestants of Ireland, denominated a Protestant petition, and signed by the greater part of the Protestant proprietors in Ireland; that petition, unaccompanied by any counter petition, may be called the Protestant interest of Ireland. The first name is Mr. David Latouche; that gentleman had originally voted against the Catholics; but seeing the changes of time, and weighing well the public exigency, he now comes forward in their favour: ever a foe to violence, and checking by turns the errors of the crowd, and the crimes of the court, independent equally of the King and the people, aloof from all party, and attached solely to the public good, he asserts to the last the integrity of his character, and gives the authority of his name and his house to the service of his country. You have, in addition to this, the names of the house of Leinster, of Ormond, Meath, &c. &c.

You have the Protestant merchants, the Presbyterians, and, coupled with the Catholics, this petition may be said to comprehend the property and population of Ireland; in fact, the petition of Ireland lies upon your table. I congratulate my Protestant brethren in Ireland; they have asserted the true principles of the gospel, they have asserted the principles of civil liberty, and they give a warning voice to the British empire. If any misfortune should happen, they must share the evil, but they avoid the dishonour.

Before you dismiss the petitions, let us see who is the

petitioner. The kingdom of Ireland, with her imperial crown, stands at your bar; she applies for the civil liberty of three-fourths of her children. She pays you in annual revenue about six millions; she pays you in interest of debt about three; in rent of absentees, about two; and in commerce, about ten. Above twenty million of money is comprehended in that denomination called Ireland; besides the immeasurable supply of men and provisions, you quadruple her debt, you add three-fold to her taxes, you take away her Parliament, and send her from your bar without a hearing, and with three-fourths of her people disqualified for ever. You cannot do it; I say you cannot finally do it. The interest of your country would not support you; the feelings of your country would not support you: it is a proceeding that cannot long be persisted in. No courtier so devoted, no politician so hardened, no conscience so capacious. I am not afraid of occasional majorities; I remember in 1782, to have been opposed by a court majority, and to have beaten down that court majority. I remember, on a similar occasion, to have stood with twenty-five, opposed to a strong majority, and to have overcome that immense majority. A majority cannot overlay a great principle. God will guard his own cause against rank majorities. In vain shall men appeal to a church-cry, or to a mock-thunder: the proprietor of the bolt is on the side of the people.

Should you, however, finally resolve upon such a measure, such a penal sentence, recollect how much you will be embarrassed by engagements, recollect the barrier is removed that formerly stood against the measure I propose. However we may lament the cause, we must acknowledge the fact, and perceive, that the time is now come, in which the Catholics were to expect a gracious predilection. They were taught to expect that their wounds would be healed, and their disabilities were to cease; that a great deliverer was on his way, that would wipe the tears of the Irish, and cast upon the royal family a new ray of glory everlasting. They gave themselves up to a passion that was more than allegiance, and followed the leading light, that cheered their painful steps through the wilderness, until they came to the borders of the land of promise, when, behold! the vision of royal faith vanishes, and the curse which blasted their forefathers, is to be entailed upon their children. In addition to this immeasurable disappointment, you must consider another — you may remember the Union.

Without enquiring whether the repeal of Catholic disability was actually promised, it was the expectation of that measure

which carried the Union. It is the price for the Union; and an essential part thereof; you will now pay the purchase of that measure. National honour, is power; in trade, it is capital; in the state, it is force. The name of England has carried you through a host of difficulties; we conjure you by that name to accede to those petitions; should you finally refuse, you repeal the Union; you declare the Irish and the English to be a distinct people; you not only declare it, but you do it; you dissolve the incorporation; they were kept together by hope, and you divide them by despair; you make them two distinct nations, with opposite and with hostile interests; the one with civil privileges, the other without; the one in the act of disqualifying the other; the oppressor and the oppressed.

The idea of the Union is twofold; a union of Parliament, and a union of people. I see the union of Parliament; and in that I see the measure which makes the legislature more handy to the minister; but where are the people? where is the consolidation? where is the common interest? where is the heart that should animate the whole, and that combined giant that should put forth his hundred hands for the state? There is no such thing: the petitioners tell you so; they tell you, that it is impossible such a policy should last; a policy that takes away the Parliament of Ireland, and excludes the Catholic from the Parliament of England; a policy that obtained the Union by the hope of admission, and now makes the exclusion everlasting.

The Catholics now come to you; they have brought their Protestant neighbours along with them, and they both call upon you for the civil capacities of the Catholics, and for the integrity of the empire.

Thus, you perceive, it is no longer a question between the different sects of Ireland, no longer a question regarding the security of the Protestant property or the Protestant church. Far from looking for that security in civil disqualifications, they deprecate those disqualifications as their principal danger, and they reduce the subject to a question between the people of Ireland, and the ministers of the Crown.

So it now stands. But should you wish to support the minister of the Crown against the people of Ireland, retain the Union and perpetuate the disqualification; the consequence must be something more than alienation. When you finally decide against the Catholic question, you abandon the idea of governing Ireland by affection, and you adopt the idea of coercion in its place. National disqualification, national litigation, informations, attachments, an angry press, an angry

prosecution, errors on both sides; men discharged for their virtuous sentiments in favour of the people; such was the case of Mr. Stanhope*; domestic feud added to foreign war. Such must be the situation of Ireland; a situation which is nothing more nor less than preparation to render the Irish mind completely hostile to Great Britain. This misfortune will be very great to both of us. In what particular way it will break out I know not, but I know it will be ruin; when I say ruin, you must know I mean ultimate separation, separation either in fact, or separation in disposition,—either will undo us. Nature protests against it: France, with all her powers, could not achieve it; civil disqualification may. We shall first be destroyed, and your gorgeous empire will follow; you are ruined by the hostility of Ireland, you are ruined by her neutrality. You are therefore pronouncing the doom of England. You, opposed to the population of France, with all her appendages; you, with only sixteen millions of inhabitants, strike out of actual operation four. Never was an instance of human insensibility so fatally displayed. The mad Athenian, when he disqualified for a few bushels of corn, a part of his fellow citizens, was not so frantic. The mad Greek, who in the last moments of his existence refused the assistance of the West, damned the cardinal, and gave up his empire, was not more frantic.

A nation fighting for her existence, a wise nation, a civilized nation; striking out of operation one-fourth of her people, deliberately, in her senses, for no reason; the eucharist is no reason, the worship of the Virgin Mary is no reason; arguments of public scorn, if they were not the cause of public ruin; without any cause, except we suppose that the hand of death precipitates the empire; I say, you are pronouncing the doom of England. If you ask how the people of Ireland feel towards you, ask yourselves how you would feel towards us, if we disqualified three-fourths of the people of England for ever. The day you finally ascertain the disqualification of the Catholic, you pronounce the doom of Great Britain. It is just it should be so. The king who takes away the liberty of his subjects, loses his crown; the people who take away the liberty of their fellow-subjects, lose their empire.

The gentlemen who are invited by the call, think, perhaps, they are presiding over a few penal laws affecting the Irish, or exercising a lazy tyranny in the easy chair of pride and security: depend upon it they are mistaken. You are presiding over the fame and fortune of that great renowned empire.

* Son of Lord Harrington. He attended and spoke at a dinner in Dublin, in favour of the Catholics.

called Great Britain. The scales of your own destinies are in your own hands; and if you throw out the civil liberty of the Irish Catholic, depend on it, Old England will be weighed in the balance, and found wanting: you will then have dug your own grave, and you may write your own epitaph, viz.

"England died, because she taxed America, and disqualified Ireland."

It is worthy to enquire, how many rights you violate in order to destroy yourselves and your fellow-subjects. You assume a right to make partial laws, or laws against the very principles of legislation. You govern one part of the society by one code, and the other by a distinct one. You make laws as arbitrary as they are partial, that is to say, you disqualify one part of the society for differences, not more essential in a political point of view, than colour or complexion; as if you should say, no man shall be a general who has black hair; no man shall be a member of Parliament who has brown. You not only make partial and arbitrary laws, but you invade the sacred right of religion; and you, with a sentence which is eternal, invade the sacred cause of liberty.

They say you have power to regulate qualifications; that is, you are a trustee for the privilege; but if, under pretence of regulation, you destroy the privilege, you exceed your power and violate your trust. Thus, if you enacted, that no man who had less than 3000*l.* a-year should be a member of Parliament, you would disqualify the people of England, and break your trust. Thus, when you, on the pretence of regulation, forbid the Catholic to sit in Parliament, you disqualify a great part of the people of Ireland, and break your trust.

It is said, Parliament may do partial ill for the general good: yes; but the majority cannot take away the liberty of the minority; for this never can be the general good: still less, can the minority, as in the case of Ireland, take away the liberty of the majority; that would be a breach of the principle by which the society is compacted. You cannot rob one part of the society of her property, to enrich the community; still less, can you rob one part of the society of her liberty; and least of all, can you do that in the case of Ireland, which is connected with England, as that liberty is protected.

When the general good means the existence of the state, there the ruling power may abandon a part to save the remainder. But what is understood by the general good, in its modern application? It means power, as opposed to liberty: such was the case in the American stamp act; such was the case of the British statutes that restrained the trade of Ireland; such is the case now; it is the power of one sect over the privileges of the other: and what is that, but the disqualification

of the part, and the dismemberment of the whole? Whenever one sect degrades another, on account of religion, such degradation is the tyranny of a sect. When you enact, that, on account of his religion, no Catholic shall sit in parliament, you do what amounts to the tyranny of a sect. When you enact that no Catholic shall be a sheriff, you do what amounts to the tyranny of a sect. When you enact, that no Catholic shall be a general, you do what amounts to the tyranny of a sect. There are two descriptions of laws: the municipal law, which binds the people; and the law of God, which binds the parliament and the people. Whenever you do any act which is contrary to his laws, as expressed in his work, which is the world, or in his book the bible, you exceed your right; whenever you rest any of your establishments on that excess, you rest it on a foundation which is weak and fallacious; whenever you attempt to establish your government, or your property, or your church, on religious restrictions, you establish them on that false foundation, and you oppose the Almighty; and though you had a host of mitres on your side, you banish God from your ecclesiastical constitution, and freedom from your political. In vain shall men endeavour to make this the cause of the church; they aggravate the crime, by the endeavour to make their God their fellow in the injustice. Such rights are the rights of ambition: they are the rights of conquest: and in your case, they have been the rights of suicide. They begin by attacking liberty; they end by the loss of empire.

In all matters where the legislature interferes, you will take care to distinguish between nomination and eligibility. Nomination is the right of the person who nominates, and eligibility of the person who is nominated.

Eligibility is a common law right; and can only be taken away by act of parliament: but Parliament can only take it away for crimes or unfitness: religion is neither. You cannot take away eligibility, which is a common law right, on account of religion, which is a right also.

The clause of disqualification consists of three heads: the superstition of the eucharist; the adoration of the mother of God; and the Papal power. The two first are merely matters of religion, such as the state has no right to investigate, and such as form an objection, which must be, and which is for the most part, entirely abandoned. Two parts of the objection, then, are disposed of; and a third only remains; and that third, namely, the power of the Pope, is reduced to a mere spiritual authority: nor are the arguments founded, which say, that spiritual and temporal powers are inseparable; and which instance as proof of their inseparability, marriage

and excommunication. There is no solidity in their observation nor their instance, inasmuch as marriage is a civil contract; and all its consequences, inheritance and legitimacy, &c. depend on the civil quality of that contract, and cannot be affected by a spiritual connexion, of which the law has no conception; and to establish which, no evidence is admissible. This matter has been settled by the act which allows Catholics to be on juries; and therefore allows them safe and competent to try the validity of marriage; the same may be said of excommunication, which is an authority which cannot be enforced; attended by an obedience which cannot be commanded: the ecclesiastic who attempts to enforce such a power, is subject to a prosecution; and the parishioner who is injured, is entitled to damages, and damages have been given accordingly. To this objection there are further answers: the law, and the fact. The law, which has made the distinction between temporal and spiritual, and has (see 14th and 15th of the king) reduced that distinction to an oath, to be taken by Catholics, under the authority of an act of parliament. It is remarkable, that in our dealings with the Catholics, the arguments of their opponents have been answered by their laws. They say, the Catholics are not credible on their oaths; and they have made, by act of parliament, their oath the test of allegiance. They say, that temporal and spiritual power are inseparable; and they have made them distinct by act of parliament. They say, that the disqualifying oath is a fundamental part of the law of the land; and they have declared by the fourth article of the act of union, that oath to be provisional, not fundamental. They say, that by the constitution, the Catholics should have no political power; and they have made them by act of parliament, that is, by the act of union, a part of the commons, that is, of the third estate of the empire. Thus, they speak to the Catholics with a double tongue, and then most piteously exclaim, "These Romanists will keep no faith with heretics." In further answer to their objection, which confounds spiritual with temporal power, and which supposes the Pope to divide with the prince the allegiance of his subjects, we have the fact as well as the law. Let the princes of Europe tell how far the Pope has shared or divided the loyalty of their Catholic subjects. Let the Pope declare how far he commanded the allegiance of the Roman Catholics in Europe, when he was dragged from his palace. This dreaded interpreter of the scriptures, and this joint proprietor of allegiance, dragged to Paris through an immense extent of Catholic country, at the wheels of the car of a Catholic prince, without a sword in his support, or an arm to defend him. Or say, what succour has he, in all his afflictions, experienced,

except when on the shoulders of the Protestant government of England,—this unhappy old man was supported, an image of frail fortune and extinguished authority, until he was finally resigned to captivity and oblivion, the sole attendants on his state, without an effort to restore, or a partizan to console him, “more formidable than ever,” exclaims the petition of Cambridge; and on this solid observation piously prays the legislature to impose on four millions of her fellow-subjects eternal disabilities. To this learned university how formidable then must the house of Bourbon appear. Like the Pope, that house has lost its dominions. How formidable Ferdinand of Spain; like the Pope, he has lost his liberty, and is possessed of all the resources that proceed from captivity and deposition. How criminal must our Government appear, according to this reasoning, who pay above 20,000,000 to support in Spain and Portugal the respective governments in church, as well as state; and, of course, are contending to set up again the powers of France, in the person of the Pope, now represented to be more formidable than ever. See then how your right stands; of three objections, two are abandoned; the third reduced to a spiritual, and that spiritual power now reduced to nothing.

You profess to tolerate religion; you do not tolerate religion when you punish it. Disability is punishment; it is a punishment in a very high degree. You cannot say, that an application to get rid of that punishment, is an application for power; it is an application for protection. Civil capacities are defence; they are necessary to protect the Catholic against the injustice of a partial trial; they are necessary to protect him against the hardship of being taxed, and bound by a body of which he constitutes no part: when the Catholics desire eligibility to the office of sheriff, they desire a protection against juries, exclusively Protestant, modelled by a party sheriff; they desire that their lives and properties may not be tried exclusively by those who disqualify them. If this be ambition, it is the ambition of not being hanged by a party jury; the ambition of not being robbed by a party sheriff packing a party jury. On a question touching Catholic claims, the Roman Catholics have not now a fair trial in Ireland; in a case between Catholics and Protestants they have not the benefits even which foreigners possess. I do not say this applies to ordinary cases, but I do say that where there is a question touching their exertions to obtain their civil privileges, they have not a fair trial. How many Catholics were jurymen on the late trials for the violation of the convention act? not one; they are not only deprived of the great executive offices of

their country, but of the great protective principles by which their lives and properties should be defended. They are excluded from the office of sheriff by which juries are impanelled, and from that legislative body by which taxes are imposed.

Gentlemen call for security; we call for security; we call for security against a policy which would make the British name in Ireland odious; we call for security against a policy which would make the British faith in Ireland equivocal; we call for security against a policy which would disinherít, disqualify, and palsy a fourth part of the empire.

When gentlemen on the other side, call for security, let them state the danger: does the danger consist in the eucharist? or in the political consequence attending the real presence? does the danger exist in the worship of the Virgin Mary? does the danger exist in an attachment to the House of Stuart? Let the opponents give us some serious reason; let them afford us some apology to after-ages for inflicting on a fourth of our fellow-subjects political damnation to all eternity. They have but one danger to state; let us hear it; it is the Pope, and the influence of France upon that power. He has at present no power; France has no influence over him, and the Irish Catholic no communication: the danger, therefore, is prospective. What securities have they taken against it? domestic nomination. No, they have declared it to be impracticable and inadequate. You might have had the veto; you might have had it in 1801, when you had the Pope in your power; you might have had it 1805, when you rejected Mr. Fox's proposition; and I believe you might have had it in 1808; but you lost it, and their opponents are answerable to the public for the loss of it. Well, domestic nomination they say will not do; the veto, they say, will not do. Have they any other measure? Do they propose a plan for making proselytes? Do they propose to discontinue recruiting from the Catholic body? They have no plan but civil disabilities, that is to say, national disqualification; but national disqualification is the odium of the British name, and the hostility of the Irish people, and what is that but ultimate separation? Separation in fact, or separation in disposition. They have talked much of the security of the church, much of the security of the state, and much of the necessity to fortify both, and the only security they propose for either is, virtual or actual separation. For this, the church has been expected to preach, and the people to petition. They tell you, that there is a great danger in the relative situation of the Pope with regard to France; they suggest to you, of course,

that some remedy is necessary, and they produce a remedy which does not act upon the disease, but is of itself another disorder, that goes to the dissolution of the empire. For this has Oxford, for this has Cambridge, petitioned, with good intentions I must suppose; but they have petitioned for the dismemberment of the empire.

Sensible of this, the people have not crowded your table with applications against the Catholics; on the contrary, the property, and the Protestant interest of Ireland, have petitioned for them; and, in addition to this, a number of leading characters in England have declared they cannot accept of office without taking measures for the relief of the Catholics. This is a great security; in this security, with other circumstances, I would advise the Catholics to place much confidence. Nothing could be more fatal to their cause than despair: they may be certain that their application must ultimately succeed, and that nothing can add to its natural strength more than the temper with which it is conducted.

I know the strength of the cause I support; it might appeal to all the quarters of the globe; and it will walk the earth and flourish, when dull declamation shall be silent, and the pert sophistry that opposed it shall be forgotten in the grave. I cannot think that the civil capacities of millions coupled with the cause of this empire, which is involved in their fate, shall owe their downfall to folly and inanition. As well might I suppose the navy of England to be blown out of the ocean by a whirlwind raised by witches, or that your armies in Spain and Portugal should be laid prostrate by harlequin and his wooden sword, as that such interests as I now support should be overturned by a crew of quaint sophisters, or by ministers, with the aid of a few studious but unenlightened ecclesiastics, acting under the impulse of interest, and the mask of religion. The people, if left to themselves, and their good understanding, will agree; it is learned ignorance only that would sever the empire.

As the call of the House may have brought together many gentlemen who did not attend the former debates on the subject, I beg to apprize them of some further objections with which they must expect to be encountered. They will be told, that the people of Ireland are base and barbarous, and are not equal to the exercise of civil capacities; that is, that the first order of Catholic gentlemen in Ireland, who are to be affected by the repeal of these laws, are base and barbarous; that is to say, that in the course of 600 years, the British Government in Ireland has made the people of that country base and barbarous, or, in other words, that your government

has been in Ireland a public calamity. They state, the Christian religion, as exercised in Ireland by the majority of the people, to be another cause of this evil, and thus they suggest as the only remedy the adoption of a measure which would banish from that island her government and her religion. The folly, the indecency, and the insanity of these objections do not deserve an answer.

They will tell you, moreover, that the spirit of the act of settlement, which deposed the reigning prince for his attack on civil and religious liberty, commits the very crime it punishes, and goes to deprive of civil liberties one-fourth of your fellow-subjects for ever.

Desire those men who tell you so, to shew the clause in the act of settlement of such an import; and ask them, why they, in defiance of an express provision in the act, raise foreign Catholics to the highest rank in the army? ask them, why the eucharist, which overpowers the understanding, as they suppose, of Lord Fingall or Sir Patrick Bellew, has no effect on these foreigners? and why they abandon their prejudices in favour of strangers, and advance them only to proscribe the natives of their country? They will tell you, that the disqualifying oath is a fundamental part of the act of union. Desire them to read the act of union: they will there find the disqualifying oath is directly the contrary; that by the fourth article of the union, it is expressly declared to be provisionary, not fundamental; and you may add, that herein is a provision by act of parliament, declaring that the excluding oath, as prescribed at the revolution, is not a fundamental part of the constitution. The same declaration will be found in the Scotch union. Thus all the parliaments of these realms have repeatedly declared, that the disqualifying oath is not a fundamental part of the constitution; and, therefore, against the argument of the minister on this head, you may quote the two acts of union, and also the authority of those who voted for the Irish act of union, that is to say, some of the ministers themselves, and also of those who drew up the Irish act of union, who, I apprehend, were some of themselves. Ask them, have they set forth in this act of parliament, that the disqualifying oath was provisionary, and, after obtaining the union, will they now belie their own law, and assert that the oath is fundamental? They will tell you, that by the constitution of the country, the Parliament is Protestant. Ask them, are not the Commons a part of Parliament? and are not the Irish electors a part of the Commons? and are not they in no small a proportion Catholic? The persons who argue with you thus against the Catholics, have sworn the oath at your table; desire them

to read it, and there they will find no profession of faith whatever; that Christianity itself is no part of the qualification; that any man can take that oath except a Catholic.

Ask them, whether that exclusion was not on account of political combinations formerly existing in Europe? ask them, whether they continue? and, in answer to all their objections and jealousy, ask them, why they continue to fill their navy and army in such an immense proportion, with men whose race they affect to distrust, and therefore they presume to disqualify? Ask the generals and admirals how these men act in the fleet and in the field? Read the lists of the killed and wounded, and see in what number these men have died in your service; read the Irish names of wounded officers; recollect that they cannot be generals; and see in their practical allegiance a complete answer to all objections. Tell them, they must extend their constitution to their empire, or limit their empire to their church establishment. Or, if you wish for further information, do not apply to the court, but ask the country; ask the Protestant gentlemen of Ireland; ask the house of Leinster; ask the house of Ormond; ask the great landed proprietors of the country, men who must stand the brunt of the danger; ask their petition; and do not, in the face of their opinion, decide against the civil privileges of a fourth of your own people; do not hazard the name of England on such a principle; do not hazard the empire of England on such an experiment.

I appeal to the hospitals, who are thronged with the Irish who have been disabled in your cause, and to the fields of Spain and Portugal, yet drenched with their blood, and I turn from that policy which disgraces your empire, to the spirit of civil freedom that formed it; that is the charm by which your kings have been appointed, and in whose thunder you ride the waters of the deep. I call upon these principles, and upon you to guard your empire, in this perilous moment, from religious strife, and from that death-doing policy, which would teach one part of the empire to cut the throats of the other, in a metaphysical, ecclesiastical, unintelligible warfare.

I call upon you to guard your empire from such an unnatural calamity, and four millions of your fellow-subjects from a senseless, shameless, diabolic oppression. You come on the Call of the House to decide, as you suppose, a great question regarding the people of Ireland; you have to say to them, We are ruined; unless we stand by one another, we are ruined; and they have to say to you, We require our liberties; our lives are at your service.

He then moved, "That it be referred to a committee to

consider the state of the laws imposing civil disabilities on His Majesty's subjects professing the Catholic religion."

The motion was opposed by Doctor Duigenan, Mr. William Bankes, Mr. Owen, Mr. Beresford, and Mr. Charles Adams. Their arguments were nearly the same as those so often before repeated, and so often answered. Doctor Duigenan spoke in his usual strain of unmitigated hostility; the main argument against the concession to the Catholics, was, the King was Protestant; the constitution was Protestant; and that, from the nature of their religion, the Roman Catholics must desire to overturn the established religion, and if admitted into Parliament, they might obtain the power. The motion was supported by Sir J. Cox Hippeley, in a long and elaborate speech of much research, by Mr. Vernon, Lord Binning, Lord Milton, Colonel Lemon, and Mr. Maryatt. At two o'clock, the Chancellor of the Exchequer moved the question of adjournment; and on the 24th the debate was renewed. Sir William Scott rose to oppose the motion, and went at much length into the subject; he was followed by Mr. C. Yorke, Mr. Leslie Foster, the Chancellor of the Exchequer (Mr. Percival,) Lord Castlereagh, and Mr. Stuart Wortley. They urged the old arguments of Protestant king, and Protestant constitution, and the danger of admitting men who were hostile to the religion of the state; they asserted, that the sense of the majority of the people was against the claim of the Catholics; they instanced the two petitions against them from the universities of Oxford and Cambridge.

The motion was supported by Mr. William Elliott, Mr. Brougham, Colonel Dillon, Mr. Shaw, Sir Samuel Romilly, Mr. William Smith, Mr. Herbert, Mr. Whitbread, Mr. G. Ponsonby, and Mr. Canning. The present moment, said Mr. Elliot, is peculiarly auspicious; the prince, to whose custody the interests of the Crown are now committed, has stood high in the confidence, the affection, and the expectations of the Irish people; whatever spirit of conciliation, therefore, is manifested at this time, will have augmented efficacy, by carrying with it the air of grace and bounty. Let us not then lose such a golden opportunity. That the right honourable gentleman (Mr. Percival) has the confidence of a majority of this House is manifested by its votes; but I do sincerely believe, that no small portion of those who support his government, deeply lament the cloud of prejudice which hangs over his councils on this subject, and darkens the future prospects of the empire. Mr. Whitbread said, Who does not know the hopes and expectations that were held out to the Catholics by the Prince of Wales? To him they looked as the polar star of their wishes; the day of his accession to the sovereign authority, they contemplated as the auspicious moment of their entire liberation from the remaining links of those galling chains under which they had groaned through so many years of sorrow and degradation. No one can doubt when this era arrived, the expectation of the Catholics was raised to the highest pitch; unhappily, nothing but the

most bitter disappointment has followed, a disappointment without ground or justification. The Catholics had a right to cherish the hopes which they entertained. The opinions of the Prince of Wales towards them, had been not only not concealed or disguised, but they had ever been most ostentatiously displayed; it would have been an affront to His Royal Highness not to have known that he was the protector of the Irish Catholics, and the favourer of their claims. From the Crown, and from the Crown alone, proceed the obstacles; the Regent has but to will, and the thing is done; he has but to will, and he will again be the idol of Ireland; he has but to wait, and the time will be gone for ever. Mr. Whitbread exclaimed, most indignantly, against the bigotry of the Dublin corporation, and Mr. Giffard; who had displayed such illiberality towards Major O'Donoghue, an Irishman, who had fought under General Skerrett, at Tarifa, when with a regiment of Irishmen, he made a most gallant defence against the French, and who returned covered with wounds; they refused to grant him a sword, merely because he was a Catholic; yet notwithstanding all the violence and illiberality manifested towards the Catholics, I will say to them, have confidence in those who have stood by you; be patient, be firm, be moderate and your cause is gained.

The House divided on Mr. Grattan's motion: for the motion 215, against it 300; Majority 85.

Tellers for the Ayes, Mr. Freemantle, and Mr. William Smith.
for the Noes, Mr. Long, and Mr. Wallace.

FORMATION OF A NEW ADMINISTRATION.*

MR. STUART WORTLEY'S MOTION RESPECTING THE FAILURE OF
THE NEGOTIATIONS FOR FORMING A NEW ADMINISTRATION.

June 11. 1812.

IN consequence of the assassination of the Chancellor of the Exchequer (Mr. Percival) on the 11th of May, it became necessary to seek for a successor; and, at the Prince Regent's desire, it was sought to strengthen the administration by extending its basis. Applications were therefore made to the Marquis of Wellesley and Mr. Canning, and a negotiation took place between them and the Earl of Liverpool, for the purpose of inducing them to form part of the administration. It broke off, however, on account of the Catholic question. Lord Wellesley and Mr. Canning being of opinion that the system pursued towards Ireland should be altered; and that the war in the Peninsula should be prosecuted with greater vigour. In consequence of this, on the 21st of May, Mr. Stuart Wortley moved, "An address to the Prince

Regent, praying him to take such measures as would enable him, under the present circumstances of the country, to form a strong and efficient administration." The motion was seconded by Lord Milton, and was supported by Mr. J. W. Ward, Sir Francis Burdett, Mr. Walpole, Mr. Herbert, Mr. Canning, and Sir John Newport. It was opposed by Mr. Wilberforce, Mr. Ryder (Secretary), Lord Castlereagh, and Mr. Eyre, who moved "the previous question;" upon which the House divided: Ayes 170, Noes 174. Mr. Wortley's motion was then carried. Mr. Wortley then moved, "That the address should be presented by such of the members as were of the council." Ayes 174, Noes 176. At length it was agreed that the mover and seconder should present the address. Another negotiation was then commenced towards the end of May, at the desire of the Prince Regent, through the medium of Lord Wellesley, with Lords Grey and Grenville. This likewise broke off owing to a disagreement in the mode proposed for forming the cabinet; and in the beginning of June another negotiation was commenced, at the desire of the Prince Regent, through the medium of Lord Moira, with Lords Grey and Grenville; and this too proved unsuccessful, in consequence of a difference of opinion respecting the appointment to the great offices of the court, connected with the political administration. The former administration was then continued.

Mr. Stuart Wortley brought forward his motion again, and stated, that three weeks had elapsed and nothing effectual had been done to form an administration: as to the negotiation between Lord Wellesley and Lords Grey and Grenville, it could and ought to have come to nothing, for it could not have led to the formation of an efficient administration, and must have produced disunion and confusion. The negotiation between Lord Moira and Lords Grey and Grenville ought to have terminated differently, that the regulation of the offices of the household should not have stood in the way of a favourable termination; the more so, as the chief objects of those two noble individuals had in a great measure been complied with. He moved, "That an humble address be presented to His Royal Highness the Prince Regent, to thank His Royal Highness for his most gracious answer to the address of this House on the 21st of May last, to lament that his endeavours towards the formation of an administration upon a more extended basis have not been successful, and to express our earnest hopes, that His Royal Highness will avail himself of every opportunity that may occur of acquiring additional strength to His Royal Highness's government." A long debate ensued, in which the principal speakers were, Mr. Vansittart, Mr. W. Tighe, Mr. Matthew Montague, Lord Folkstone, Lord Milton, Lord Castlereagh, Mr. Elliott, Mr. Canning, Mr. Ponsonby, Mr. Tierney, Lord Yarmouth, Lord Robert Seymour, Mr. Davies Giddy, and Sir Thomas Turton. The dangers of the country, the necessity of repealing the orders in council, and the great distress in England, were urged in favour of the motion. On the other hand, the address, it was said, went to restrain the free

exercise of the prerogative, and affected the right which the Prince Regent had to choose his own ministers.

Mr. Elliott said, if Lords Grey and Grenville had accepted the proposed terms, they would have surrendered the necessary influence which must ever belong to ministers, the powers of government would have been divided, and set against each other.

Lord Yarmouth, and Lord Robert Seymour declared, that it was the intention of the officers of the household to have resigned, if Lords Grey and Grenville had accepted office; that this was well known, and had been communicated to a right honourable member, a friend of that party, (it was supposed Lord Yarmouth alluded to Mr. Sheridan,) but that the object in making that demand respecting the household was, to humiliate the Prince. Mr. Ponsonby denied this *in toto*, saying, that the changes demanded were not new, unusual, or extravagant, and were but what had taken place on all such occasions; that the proposal for Lords Grey and Grenville to nominate 4 if the cabinet were to consist of 12, and 5 if of 13, went to establish a divided and counter-acting body, and was wholly impracticable and inadmissible; and that the intention of the members of the household to resign, had never been communicated to the parties; that he (Mr. Ponsonby) now heard it for the first time. Mr. Canning observed, that the Prince had been asked by Lord Moira, if he was willing, (in case he, Lord Moira, advised him) to part with his household. To which the Prince replied, that *he was*. Upon which Lord Moira said, "Your Royal Highness shall not part with one of them;" Lord Moira, in his opinion, had acted rightly. Mr. Tierney conceived, that Lord Moira had broken off the negotiation; for, had he communicated all the sentiments expressed by the Prince, the obstacles would have been removed. Lord Castlereagh objected to the address; he stated that the present administration (of which he was a member) was continued; and that, as to the Catholic question, he felt himself perfectly at liberty to take any course which his judgment might dictate, and he was ready to go into any discussion on that subject, which could lead to a practical result.

Lord Folkstone proposed an amendment, relating to reform and economy. Lord Milton also moved an amendment, "To assure His Royal Highness of their determination to support, with undiminished zeal, such measures as may appear calculated to ensure prosperity at home, and respect abroad; but, at the same time, humbly to represent that, consistently with the duty they owe to their sovereign and their constituents, they can no longer defer the expression of their earnest entreaties, that His Royal Highness would form, without delay, such an administration as might be entitled to the support of Parliament, and the confidence of the nation."

Mr. GRATTAN said, that he merely wished to express the opinion he entertained of the conduct which had been observed by the noble lords (Grey and Grenville), whose names

had been so often introduced into the discussion. Men of independent principles alone, and of very conspicuous political talents, ought to form the administration of the country; but it might very frequently fall to their lot, to restrain their desire of holding office, unless they could do so with advantage to the country. Those noble lords had a part to perform which required the utmost consideration; for they had to evince their readiness to make every exertion for the service of the country, and to balance the acquisition of power against the abandonment of principle. The refusal of office, was a crime which few were guilty of; it was not to be frequently found in the annals of the country. But it should be recollected, that when gentlemen accepted of office, they did so with a view to serve the country, as well as to exalt their own reputation; and to enable them to do this, it must be rendered evident, that they had the confidence of the sovereign; for if they were to be controlled in the administration, it would be better that they should not accept of it.

A minister must possess the confidence of the sovereign and the Parliament; but if he was excluded from the one or the other, he was no longer such a minister as was recognized by the constitution. If the two noble lords in question were of opinion that the appointment of the household was necessary to the strength of the government; if they thought, that the existence of two cabinets, the one responsible and the other not responsible, was not consistent with the well-being of the state, then had they acted wisely, honourably, and disinterestedly, in not taking power without the confidence necessary to enforce it.

He did not now enquire whether the objections or opinions of the noble lords were well founded; but he maintained this, that if they conceived an undue influence to exist, they had acted rightly in declining office.

He lamented most sincerely, that such had been the result of the late negotiations, from a conviction of the great talents and integrity of those noble lords, and of the good consequences which were likely to result from their acceptance of office; but he could not condemn a resolution founded upon principle.

Whatever might be the opinions entertained upon the topics, which were treated as the basis of the negotiations, he thought that if there remained a possibility of concord, it were better that those differences should not be animadverted on.

It appeared to him, that all the noble persons engaged in the negotiation, Lords Grey, Grenville, Wellesley, and

Moira, had acted most honourable, frank, and candid parts, and had shown the utmost disinterestedness.

With regard to a noble lord (Sidmouth) who, he understood, would fill an important office in the state, he believed him to be a very honest and conscientious man; but he must also remember, that that nobleman professed himself a decided enemy to the claims of His Majesty's Roman Catholic subjects, and therefore he was not a character very likely to conciliate the people, or long retain the confidence of the sovereign.

He was happy now, therefore, that the noble lord would not in future oppose those claims in his capacity of minister, as he did before he was compelled to relinquish his situation; but considering that the noble lord still stood pledged to oppose the emancipation of the Catholics in his individual capacity, and that he was now coming into a great office, it was for the House to consider, after the vote to which it had agreed, how far the noble lord was likely to conciliate the minds of all classes of people in the united kingdom.

From perusing the correspondence said to have lately passed upon the subject of forming an efficient administration, he felt perfectly satisfied with the sentiments avowed by Lords Grenville and Grey, while they declined accepting a part of a government, in which they must act with some of the present ministers; and he felt persuaded that the public opinion went along with him.

Had those noble lords acted otherwise, and accepted the offers which were made them, he should deem them as public men who had deserted the political principles which they professed through their former lives, and deserving the most severe reprehension of that House, and of the whole country.

Lord Folkstone's amendment was negatived without a division.

The House divided on Lord Milton's amendment, Ayes 164, Noes 289; Majority against the motion so amended, 125.

Tellers for the Ayes, Lord Milton and Mr. Freemantle.

Noes, Mr. Wharton and Mr. Wallace.

Mr. Stuart Wortley's motion was consequently lost.

ROMAN CATHOLICS.

MR. CANNING'S MOTION RESPECTING THE ROMAN CATHOLICS.

June 22. 1812.

ON this day Mr. Canning made his motion respecting the Roman Catholics. He entered at length into the question, and delivered an able and eloquent speech in their favour, which he concluded by moving, "That the House will, early in the next session of Parliament, take into its most serious consideration the state of the laws affecting His Majesty's Roman Catholic subjects in Great Britain and Ireland; with a view to such a final and conciliatory adjustment as may be conducive to the peace and strength of the United Kingdom; to the stability of the Protestant establishment; and to the general satisfaction and concord of all classes of His Majesty's subjects."

The motion was supported by the knight of Kerry (Mr. Maurice Fitzgerald), Sir John Newport, Mr. Parnell, the Chancellor of the Exchequer (Mr. Vansittart), Mr. Bankes, Lord Castlereagh, Lord Palmerstown, Mr. Ponsonby, Mr. Tierney, Sir J. Cox Hipplesey, Mr. William Fitzgerald, Mr. Whitbread, Mr. Wellesley Pole, and Mr. W. Smith.

General Matthew moved an amendment, that the House should go into a committee on Thursday next.

Mr. GRATTAN declared, that he had to express his entire concurrence in what had been said of the present ministers, respecting their disposition to conciliate the Catholics. He would not say that they were inconsistent, because, as had been observed by the honourable gentleman who preceded him, time did much in the working of great political changes, and was indeed always to be considered a principal ingredient in the contest of opinions. He well knew how completely what at one time might appear most chimerical, might, at another, be considered as not only possible but politic; and he had seen instances where the most honourable and conscientious men, and men too of the best understandings, had changed their opinions on important state questions, changed them of course from a more full consideration of the circumstances attending such questions, of the temper of the people to whom they applied, and of the general exigencies of the times. If the ministers of the Crown upon the present occasion had changed their opinions, he was not disposed to call it a victory obtained over them by their antagonists, but a triumph of ministers over themselves. As to the amendment of an honourable gentleman, he hoped, that upon it, the House would not be driven to divide. He certainly wished extremely

for an immediate committee, if the House were willing to go into it; but the House was not willing, and, therefore, though he did not differ from the spirit of the amendment, he hoped it would not be pressed. With regard to the original motion, one sentence would characterise it; it was a motion of concord.

It was a motion for a determination to consider the claims of the Catholics with a view to conciliatory adjustment; it was a motion to adopt the consideration of what was to be done for the Catholics, while, at the same time, it professed to conciliate without danger. On what ground could such a motion be objected to? Could its opposers say that they objected on account of the petitions that had been presented? Petitions so numerously signed, and in language so respectful; could they object to a conciliatory adjustment? Could they oppose going into a consideration which promised to put their church out of danger? To him it appeared, that, as the resolution was pre-eminently one of concord, the adopting it would be voting themselves one people. Aye; voting themselves one people; and the Catholics also would receive the resolution in the same spirit; they would receive it as a declaration of love, of cordiality, of affection: such a resolution must work a material change in the minds of the Irish. It would hold out their question to them in colours of probable success, arising from a number of circumstances, all of which had not taken place when it was last under consideration. But now that they had taken place, the best way to consider their effect was, as the decree of common sense, which time would undoubtedly sanctify and establish. One of the circumstances alluded to, was the repeated discussion of the question in Parliament; another, a recent melancholy event*; a third, the decision in a most illustrious quarter on the subject; a fourth, the great numbers, though a minority, on a former occasion, when those claims were discussed. There were other circumstances which he need not enumerate, but all tended to indicate a wish on the part of the people of England, to shake hands honestly and warmly with the people of Ireland, and all tended also to justify the change of opinion in those who might have thought concession hitherto impracticable. He was the more convinced that men could vote without inconsistency for this resolution, when he remembered that he, in the Irish Parliament, divided with twenty-five in one session on the Catholic question, and that, in the very next, he made one of the whole House voting in the

* The death of Mr. Percival, late Chancellor of the Exchequer.

affirmative for that question. Would any one have upbraided the Irish Parliament for inconsistency on that occasion? Would it not rather be said, that what might have been temerity in one session, became wisdom in the other? The advanced guard explores the ground, and makes an unsuccessful experiment in arms. It retires, and the rear-guard saves it. But when it succeeds, then the rear-guard advances and gains the victory. He would now suppose the resolution carried, and then certainly Parliament would have the responsibility of the introduction of this question, and would also, should it fail, have the responsibility of its failure.

He would therefore advise the government, if they should have any communication with the Catholics, not to demand any securities but what were necessary and just. He would advise the government rather to take the part of aiding than of thwarting; rather to go on, than to look back to past disputes; rather to go half way, than to stand upon high points, with an unaccommodating and unconciliatory demeanor.

On the other hand, he would advise the Catholics, not to oppose any frivolous objections to the just arrangements that might be deemed necessary. It had been his intention, in the beginning of next session, to move for leave to bring in a bill for the repeal of the penal laws. He was, however, so convinced that it would come better from the executive, that he would much rather give it up to ministers. If any of His Majesty's ministers should take it up, he would be happy to second the proposition, and give it every support.

The motion was opposed by Mr. Ryder, Mr. Bathurst, Sir John Nicholl, Sir Charles Burrell, and Mr. Matthew Montague. The arguments of the latter persons were chiefly, that no prospect of adjustment was likely to arise, and that it was wrong to encourage false hopes. Mr. Ryder stated, that while the Pope exerted his influence over the bishops, the bishops over the priesthood, and the priesthood over the people, he did not think it safe to grant the required immunities. Sir John Nicholl was of opinion, that the concession of political power to the Roman Catholics, was not consistent with the safety of the constitution, or the security of the establishment. Lord Castlereagh, in supporting the motion, expressed his own individual sentiments, as other members of the cabinet had done, and though, from the circumstances of the times, he had been obliged to resist the measure, he was now friendly to it. Mr. Tierney asked, why the Catholic claims were not made a government question? He hoped the noble lord (Castlereagh), would induce his colleagues to adopt some one opinion, and not stray about as their fancies would dictate. Mr. Ponsonby thought that nothing could be more absurd, than that the cabinet should profess to have no opinion on such an important subject, and he

believed that the ministers would not act at all, and the task of forming a measure for carrying into effect the resolution of Parliament would again devolve on his honourable friend (Mr. Grattan), who had devoted his life to the welfare and interests of so large a portion of his fellow-citizens. Mr. Whitbread said, that the insincerity, as well as the imbecility of ministers had been fully exposed, since the death of Mr. Percival; they yielded every point of their former policy; they were beaten by the people, and by Parliament, but too high a compliment had been paid them by his honourable friend (Mr. Grattan), when he imagined they had gained a victory over themselves; and rejoiced at the triumph of this day. On the head of his right honourable friend (Mr. Grattan), must rest and accumulate all the glory and honours of the victory. Sir John Newport reprobated the circulation of pamphlets against the Catholics; they were fatal to the peace of the empire. If the cry of "No Popery!" is raised in England, it will be answered from Ireland by a cry of, "No Union!" by a cry of "separation." The amendment proposed by General Matthew, and seconded by Colonel Hutchinson, "That the House should take the Catholic claims into their early and immediate consideration, and go into a committee upon them on Thursday next," was negatived without a division.

The House divided on the original resolution, Ayes 235, Noes 106; Majority in favour of the resolution 129.

Tellers for the Ayes, Mr. Bankes, and Lord Binning.

Noes, Mr. Yorke, and Sir John Nicholl.

CORPORATION OF DUBLIN.

February 23. 1813.

ON this day, the Speaker acquainted the House that he had received a letter from the Lord Mayor of Dublin, the contents of which he communicated to the House, as follows:

"SIR,

"Dover-street, 23d Feb. 1813.

"The corporation of the city of Dublin, in common-council assembled, having prepared petitions to be presented to Parliament, on the subject of the claims about to be preferred on behalf of the Roman Catholics of Ireland, I beg leave to state that I have been deputed, as Lord Mayor of the city of Dublin, to deliver their petitions at the bar of both Houses of Parliament; and I have now the honour to solicit, through you, Sir, that the honourable the House of Commons may be pleased to indulge the corporation of the city of Dublin, by permitting me, as chief magistrate of that city, to deliver at their bar the petition addressed to their honourable House, an indulgence which, it is humbly hoped, that the House of Commons will be pleased to concede to the citizens of Dublin, in analogy to the usage so long established, of receiving petitions at their bar from the corporation of the

city of London; and which, if granted by that honourable House, will not only demand the gratitude of the petitioners, the second corporation of the empire, and yielding to none in loyalty and attachment for the laws, government, and constitution of these kingdoms, but will also be received as a grateful and flattering condescension by the inhabitants at large of the metropolis of Ireland; that city which had been for so many years the seat and residence of the Irish Parliament.

“ I have the honour to remain, Sir, &c.

“ ABRAHAM BRADLEY KING,

“ Lord Mayor of the city of Dublin.

“ To the right honourable
Charles Abbot, Speaker of
the House of Commons, &c.”

Mr. GRATTAN said, that while he dissented from the opinions contained in the petition which had been alluded to, he conceived it to be his duty to support every proposition which had for its object the honour or interest of the city of Dublin, the capital of Ireland, and the second city of the empire. He should therefore move, “ That the right honourable the Lord Mayor of the city of Dublin be admitted to present a petition of the Lord Mayor and corporation of the said city, at the bar of this House, according to the usages observed in like cases, regarding the sheriffs of the city of London.”

Mr. Shaw seconded the motion. It was opposed by Mr. W. Wynne, who contended that there was no precedent for the motion, and that such a courtesy was granted to the sheriffs of London alone. Mr. Ponsonby, and Mr. Tierney thought, that by acceding to the request, they admitted the right of the corporation of Dublin to present all petitions in a similar manner, and if it was confined to a single petition, it might be attributed to the nature of its contents, being a petition against the Catholics. Mr. Peel observed, that that objection was obviated, as the Lord Mayor was entrusted with another petition on the subject of the East India charter. The Chancellor of the Exchequer (Mr. Vansittart) observed, that no claim had been made, it was merely a privilege requested. The Speaker informed the House, that with respect to the corporation of London presenting petitions, it was always put to the question, and the mode of acting was wholly in the power of the House. It was then agreed that the word “ petitions,” be substituted for the word “ petition.” Lord Cochrane proposed, that the same indulgence be extended to the city of Edinburgh, and moved accordingly, that the words, “ and the Lord Provost of Edinburgh,” be inserted after the words, “ the corporation of Dublin.” It was seconded by Lord Archibald Hamilton, but was negatived without a division; after which the original motion was put and carried, and the petitions were presented by the Lord Mayor at the bar of the House.

ROMAN CATHOLICS.

MR. GRATTAN MOVES FOR A COMMITTEE TO EXAMINE INTO THE
LAWS AFFECTING THE ROMAN CATHOLICS.

February 25. 1813.

ON this day, besides the general petition presented by Mr. Grattan, from the Catholics of Ireland, and others from numerous counties and towns both in England and Ireland, there were several Protestant petitions presented to the House in favour of the Roman Catholics: from the city of Bristol, by Sir S. Romilly; from the county of Wicklow, by Mr. Tighe; from the county of Waterford, by Sir J. Newport; Queen's County, by Mr. Pole; city of Dublin, by Mr. Grattan; county of Cork, by Mr. Hutchinson. Petitions were also presented from the counties of Londonderry, Down, Tyrone, and corporation of Dublin; against the Catholic claims. Mr. Elliot, on presenting the English Roman Catholic petition, desired that the resolution passed in the last session should be read; it was as follows:

“ That the House will, in the next session of Parliament, take into its most serious consideration the state of the laws affecting His Majesty's Roman Catholic subjects, in Great Britain and Ireland, with a view to such a final and conciliatory adjustment, as may be conducive to the peace and strength of the United Kingdom, to the stability of the Protestant establishment, and to the general satisfaction and concord of all classes of His Majesty's subjects.”

Sir Joseph Yorke desired, that the 9th, 10th, and 11th section of the 1st of William and Mary (the bill of rights), should be read. This having been done, at half-past seven in the evening Mr. Grattan rose, and spoke as follows:

Sir, I am very happy that the right honourable gentleman has caused those passages in the bill of rights to be read to the House, for I am distinctly of opinion, that the qualifications which it enumerates as the indispensable accompaniments of the sovereignty of this empire ought to form a part of the preamble of any bill that may be introduced into Parliament for the relief of the Roman Catholics. For, Sir, it is most necessary and most wise, that whenever we admit the Catholics to the privileges which they claim, we should insure to the Protestants the unendangered continuance of all the privileges which are founded on the act of settlement. The same measure which gives liberty to one, should give security to the other. I rise, Sir, to support the petition, which some time ago I had the honour to present from the Catholics of Ireland. I am sure that I may say, without fear of contradiction,

that this petition is generally from the Catholics of Ireland. That it is substantially true, and that it conveys the wishes of the whole body. The motion which I mean to make is, that the House will resolve itself into a committee, in pursuance of the resolution which, at the desire of my right honourable friend, has been read by the clerk at the table. Sir, I know very well, that a resolution of a former Parliament cannot bind its successor. At the same time, I do not conceive that I am guilty of any impropriety in referring to the resolution of a former Parliament. I have to lament, and it would be miserable affectation not to acknowledge it, that the petitions against the claims of the Catholics are very numerous and very respectably signed. I have to lament that there are still in my native country many individuals enlightened in other respects, but fallible on the subject of religious distinctions. I have also to lament and condemn the venomous manner in which some of these petitions denounce the Catholics. I will avoid the example; and, in the allusions which I may find it necessary to make to the Protestant petitions, I will speak of those, from whom they have proceeded, with the highest respect. I respect and love many of them. I dissent partially from their opinions; but I respect and love them personally. Nay, more; I will consider them not as present enemies, but as future friends to the Catholics. They live in the same country, they are embarked in the same cause, they have the same battles to fight against the common enemy, for the common interest. Never can it be my wish to widen the breach between great bodies of men. The particular object of the Catholic petition is general concord. Never can I think that any difference in religion must necessarily lead to civil discord. Never can I believe that revelation came down to us a firebrand, to justify Parliament in withholding from a part of the subjects of the realm their just rights.

Sir, I am the more induced to hope that the cause which I have undertaken humbly to advocate, will ultimately be successful, because I recollect that in the Irish Parliament of 1792, some general and strong resolutions were adopted against the claims then made by the Catholics: and that, in the next session, more was actually granted to the Catholics than they had claimed. The understanding of the Irish Parliament enlarged with the exigency of the state, I trust that this will be the case with us. With this view to the ultimate success of Catholic emancipation, I beg leave to make a few observations on the Anti-catholic petitions on your table; using that liberty with the arguments they contain, that my cause may require; but maintaining the greatest respect for the persons who have

signed them, and whom, I am persuaded, are sincere in that which I, nevertheless, consider to be a very mistaken view of this most important subject.

In the first place, I object to the manner in which, in many instances in this country, and more particularly in Ireland, these petitions have been obtained. In Ireland, they have been the consequence of a requisition to the sheriffs of the respective counties, to call a meeting of the Protestant inhabitants. Now, it appears to me to be exceedingly objectionable for a public officer to call the people together in sects; and to give to a private and party meeting the authority of a public assembly. Again, it appears to me exceedingly objectionable, thus to separate religious sects, and to give the semblance of public authority to religious animosities. I object again to calling one part of His Majesty's subjects to petition against another; and still more do I object to their petitioning another country against the liberties of their own.

Sir, I beg not to be understood as casting any reflections on the Irish Protestant petitioners; but their object has evidently been neither more nor less than this:—to entreat the Parliament of this country not to grant civil liberty to the great body of the people of Ireland. They petition us to inflict on their countrymen, a sentence of perpetual incapacity; they petition us to announce to Ireland the destination of being for ever a divided colony; and to impress on the general sense, an acquiescence in the necessity of this being a divided empire. Sitting for a moment, they have given judgment for eternity. Let us consider a little their reasons for this judgment. One of the first observations which these petitions contain is, that the tone which the Catholics have assumed, renders it unwise to grant their claims. But that is not the question. We are not in the Parliament of the United Empire entering into an examination of the arguments that may have been urged in this or that body. We are not enquiring whether Mr. A. or Mr. B. may or may not have spoken too freely. What has the conduct of any particular assembly to do with the great body of the Catholics? The question is, Shall the great body of the Catholics of Ireland be emancipated? The opponents of the Catholic claims say, that they ought not to be emancipated, because Mr. Fitzpatrick published a libel. But this is not a question dependent on such circumstances. I do not say that there may not have been much warmth exhibited in discussions in Ireland; but I say that the question is, Can you, in any of their proceedings, charge the Catholics with want of allegiance? It is a question of allegiance. If it can be proved, that the

Catholics of Ireland have shown a disposition adverse to royalty, then my motion ought to be rejected. But if, on the contrary, there does not appear any disaffection in their proceedings, in their speeches, or in their general conduct, then the resolution of thanks to the Irish Catholics, which was involved in the resolution of thanks to the army, who gained the victory of Salamanca, should be followed up in its full and genuine spirit; and the Catholics of Ireland should be considered as entitled to the same civil liberties as the other loyal subjects of His Majesty's empire have a natural and legal right to possess. Having thus stated the question to be one of allegiance, let us proceed, Sir, to examine how the Anti-catholics have made out their case. They say that the Catholics desire political power. Why should they not? Why should they be sentenced to utter and hopeless exclusion from all political power? But, Sir, the Catholics have not applied for political power. They have applied for political protection; and no farther for political power than as political power is inseparable from political protection. The Catholics, having given pledges of their allegiance, desire not to be bound in fetters from which their fellow-subjects are free; they desire not to be taxed without their own consent; they desire not to be tried by persons who are exclusively partizans — not only partizans, but who are actually covenanted against them. To the enquiry, "What is your wish?" they reply, "We wish for our liberties. We do not demand this or that office; but we desire to possess our just civil qualifications." Do you understand them? Is this ambition? If it is ambition, then was Magna Charta ambition — then was the Declaration of Rights ambition. Protection, not power, is the request of the Catholics. The Catholic petitioners ask for protection; it is the Protestants who ask for power. The Protestants ask for the ascendancy of their sect; the Catholics ask for the ascendancy of the law. Let me repeat, that I wish to treat the Protestants with all possible respect. It is natural that they should be tenacious of their peculiar privileges. But, unquestionably, they desire, by their petitions, to keep all the patronage of Ireland in their hands; to maintain a continued ascendancy; to govern the other sects in the country; while the Catholics only desire in their petitions, that the whole should be governed by an equal law. The Protestant petitioners assert, that the Catholics want power, in order to make laws for the Protestant church. No; they only desire, as I have before stated; not to be taxed without their own consent — not to be tried by partisans, or juries called by partisans. Their prayer is; that the Protestant church should be governed, not by Catholics, but by Protestants; for the Catholics know, and the

Protestants know, that under any circumstances, and after any concessions, the majority in this House must be Protestants, and that by that majority, the laws for the Protestant church must be made. But the members of the Protestant church who have petitioned us, desire us to make laws exclusively for the Catholic church. They wish to control the conscience of the Catholic, as well as to bind him in other respects. They are willing to receive the tithes of the Catholic labour, but they desire to exclude the Catholic from a participation in the blessings of the constitution. Their argument is this; "the persons who regulate the Protestant church should be of that church." Why, then, all the Scotch members of this House ought to be sent away. All who do not profess to hold the doctrines of the church of England ought to be sent away. The tendency of the argument of these gentlemen is, that we ought to have a church government. But ours is not a church government, it is a representative government; it includes all classes, all religions, all descriptions of persons, except the Catholic and the churchman. The principle on which these gentlemen insist will prove fatal. If you confine the enjoyments of the constitution to the limits of the church of England, you will endanger the empire; if you extend it to all religious persuasions, you will place the empire in a state of security.

The Parliament is justly called imperial. It is not a partizan. The Catholics of Ireland make a part of the third estate. Is it not so? Is not the great body of electors in Ireland Catholic? Does it not follow, that a part, and that no inconsiderable portion, of the third estate is already Catholic? And can we for a moment suppose, that this is incompatible with the genuine principles of the British constitution? But the fact is, Sir, that the Protestants will, and must have the ascendancy in the state. The great population of the empire is Protestant; the great property of the empire is Protestant. This ascendancy the Protestants have a right to possess; but they ought to possess it, not by the exclusion of their fellow-subjects from a participation of civil liberty, but in virtue of their superior numbers and property. Sir, in the provision for the royal authority being exclusively Protestant, the Protestant interest has another great and wise security for the maintenance of its ascendancy. The admission of the Catholics to their civil rights will be entirely co-existent with the maintenance of the Protestant ascendancy; and, by granting that admission, you will strengthen and fortify the whole empire. To grant the Catholics their privileges, will be to identify the people; for it is by granting them their rights

that you must expect to identify them, and not by keeping them in chains. To grant the Catholics their privileges, maintaining the just ascendancy of the Protestants, will be much more effectually to support the state, and much more effectually to support the church, than either can be supported by a monopoly of power, and without that identification of the people of the two countries, which such a measure alone can insure. Superficial, indeed, are the arguments of the opposers of emancipation; they think, that the admission of five or six individuals (such men as Lord Fingall, and other enlightened members of the Catholic body,) into Parliament, will be productive of injurious consequences; but to the alienation of four or five millions of persons out of Parliament, they attach no importance! A right honourable gentleman has talked of the pains and penalties which, as he thinks, were justly inflicted on the Catholics at the time of the Revolution. They were not, however, the effects of the Revolution, but took place long after the reign of Queen Anne. As to the exclusion of the Catholics from political power, at the period of the Revolution, that was not an original idea at that period, but arose out of, and was founded on the fabricated plot of Titus Oates, the severities occasioned by which, were even mitigated at the Revolution. And will Parliament make the madness of that time the rule by which the liberty of their fellow-subjects is to be regulated at all times? "But," say the Anti-Catholics, "toleration in England is greater than in any other country." Sir, I know very well, that the principles of every established church are, in some degree, hostile to toleration; there is scarcely any church which will tolerate so extensively and liberally as a wise Parliament ought to do. But when it is maintained, that toleration in England exceeds that of any other country; and that it is perfect; I must declare my opinion to be the reverse.

Abroad, in Catholic countries, persons professing a difference of religious sentiments, enjoy not only toleration, but qualification. At home, in a Protestant country, persons professing a difference of religious sentiments, are not only disqualified, but hardly tolerated. Abroad, sectaries enjoy toleration, united with qualification. Here, they have a scanty toleration, united with pains and penalties. In France, for instance, no man is disqualified on account of his religious opinions. In Hungary, toleration and qualification are completed. I will read an edict issued by the Hungarian diet, in 1791. It declares, "That all persons shall have free exercise of their respective religions, with full liberty to build churches, erect steeples, found schools, form church-yards, &c. without

impediment." So much for religious toleration. Now for civil qualification. The edicts proceed to say, that "the public charges, offices, and honours, high or low, great and small, shall be given to native Hungarians who deserve well of their country, and who are competent to hold them, without any regard to their religious persuasion." This is the declaration of a Popish diet. This proceeds from one of those nations, which, according to the Anti-Catholics, has no idea of toleration, as compared with this country! This Catholic government gives not only toleration, but qualification, and the Catholic church acquiesces in the gift. We give toleration without qualification; and we accompany that toleration with pains and penalties. The Anti-Catholic petitions require, that those pains and penalties should be continued. The petitioners seem totally ignorant of the real state of things. They declare generally (mayors and corporations) that the principles of the Catholics are the same as they were at the worst of times. They state, and they state it after the demolition of the Vatican, after the prostration of the Inquisition, after the fall of the Pope, that religious toleration and that civil qualification ought not to be granted, which is allowed in every great country in Europe, England excepted. They assume that to be true in argument which is false in fact. They quote Catholic writers, who have said that the fathers and they hold the same opinions; and on this the Anti-Catholics found a monstrous misstatement.

Sir, the Catholics of the present day have evinced their principles by their oaths. They have abjured every criminal tenet attributed to their ancestors. In taking an oath framed by a Protestant, enacted by a Protestant Parliament, and going into the *minutiae* of rejection, the Catholics have acquitted themselves, by a solemn obligation, of the principles formerly imputed to them. They, nevertheless, maintain, that there is no difference of opinion between them and their ancestors, because they maintain that their ancestors were charged unjustly with entertaining criminal opinions. This defence of their ancestors has been converted into a crimination of themselves; and they are suspected of maintaining doctrines, an adherence to which they deny on oath.

It is said by the Anti-Catholics, that the Catholics have been, and are, always the same. The Catholics allow, that a true Catholic was and is always the same; but they add, that a criminal Catholic is not a true one. "But the Catholics are enemies to the church of England." Sir, this is a very hasty and imprudent assertion; it is one calculated to make the Catholics that which they are not, enemies to the church of

England. If it proceed from high authority, it might be seriously dangerous; but coming, as it does, from persons, however respectable, whose opinions are not entitled to very serious consideration, it may be comparatively innoxious. Sir, why should the Catholics be enemies of the church of England? If the endeavours of the Catholic to obtain his civil liberties be opposed by the church of England, then it is not the Catholic that is the enemy of the church of England, but the church of England that is the enemy of the Catholic. What is it, Sir, that is to make a Catholic an enemy to the church of England? Is it his doctrines? Is it the doctrine of penance, of absolution, of extreme unction? The affirmative would subject the affirmor to the most just ridicule and scorn. So much for the hostility of the Catholics to the church!

But it is said further, "the Catholics are enemies to the state." [Some honourable members on the other side of the House observed, that they were so "in principle."] In principle! Sir, I deny it. How are principles to be ascertained but by actions? If they are enemies to the state, let us go into the committee; and let those who allege that the Catholics are enemies to the state, support their allegations by evidence. If they plead the Canons of the council of Lateran, of Constance, of Trent, I will produce authority of a much higher description; I will adduce the testimony of the Parliament of the united empire; I will quote the thanks of that Parliament unanimously voted to armies, of which a large component part was Catholic, for the most important service rendered to the state. Sir, the opponents of the Catholics go on to assert, that they are enemies to liberty. What! the authors of Magna Charta enemies to liberty! And have the Catholics shown no other attachment to liberty? I say that the very declaration of rights, which, on the motion of the right honourable gentleman opposite, was read by the clerk, sufficiently shows the love of the Catholic to liberty. For what does that declaration? It does not enact new laws, but it reaffirms those which the declarers found already established; and by whom were they established? Who were their authors? The Catholics; those alleged enemies of the church; those alleged enemies of the state; those alleged enemies of liberty! Why did the legislature, at the period of the Revolution, go further than to declare the law? Because the Roman Catholics had not only been friendly to liberty, but had so established the principles of liberty by statute, that the wisdom of the reformers could not exceed their distinct enactments.

Sir, what is the amount of the charge now preferred against

the Roman Catholics? That they are governed and swayed by all those canons which, they contend, have been grossly misinterpreted; but which, however interpreted, they have forsworn. They are accused of maintaining the deposing power of the Pope; of cherishing regicidal principles, and of asserting the right of perjury. On these assumptions, and in this enlightened age, the Catholic is not only not admitted to the constitution, but formally excluded from it. Sir, I defy those who are hostile to Catholic concession to support their positions by any thing but by these canons; nugatory, contemptible, obsolete, and denied by the Catholics themselves. What were the answers made by the universities of Salamanca, Paris, Alcala, Louvaine, Douay, and St. Omer's, to the questions put to them? (Here Mr. Grattan read the following questions, proposed to those universities:)

" 1. Has the Pope, or Cardinals, or any body of men, or any individual of the church of Rome, any civil authority, power, jurisdiction, or pre-eminence whatsoever, within the realm of England?

" 2. Can the Pope, or Cardinals, or any body of men, or any individual of the church of Rome, absolve or dispense with His Majesty's subjects from their oath of allegiance, upon any pretext whatsoever?

" 3. Is there any principle in the tenets of the Catholic faith, by which Catholics may break faith with Protestants, or other persons differing from them in religious opinions, in any transaction, either of a public or a private nature?"

Sir, continued Mr. Grattan, on the best authorities, I can assert that those learned bodies were disposed, not to deny, but to ridicule the opinions imputed to them; not to reject, but to scorn them. They, however, answered, that the Pope had no such deposing power, and that, as to the supposition that the Catholics would keep no faith with Protestants, they were almost ashamed to say any thing on the subject. Sir, a book has been alluded to, and by the students at Maynooth; and it has been adduced as decisive evidence, not only of the criminal principles of the Catholics, but as a proof of the criminal principles which the posterity of the existing Catholics were doomed to imbibe by its being rendered available to the purpose of their education. These criminal principles are the authority of the Pope to depose royal authority, the consequent regicidal disposition of the Catholics, and the tenet that no faith is to be kept with heretics. The work I alluded to, Sir, is called *Tractatus de Ecclesia*; and, with the permission of the House, I will read several passages to show how baseless their assertions are.

[The right honourable gentleman here read some extracts from the book in question. They stated that Christ had not granted to St. Peter direct or indirect power over the temporal concerns of kingdoms; that by the kings and emperors of states alone, the supreme temporal establishment of them ought to be held. That the declarations of pontiffs were not to be considered as infallible, or as points of faith, which it was necessary to salvation to believe.]

Here then, Sir, said Mr. Grattan, is a book which has been traduced as a concentration of evils; and it appears that it enjoins principles directly the reverse of those which have been ascribed to it. When such are the misrepresentations that are circulated, the result is not surprising. But there is another work of higher authority to which I wish to refer. I mean the Common Prayer Book of the Catholics.

[The right honourable gentleman here quoted several passages from the Catholic Prayer Book, the tenor of which was, to declare that no general council, much less a papal consistory, had the power of deposing sovereigns, or absolving subjects from their allegiance; that the Pope had no authority, direct or indirect, over temporal affairs; that, notwithstanding any papal interference, all Catholic subjects were bound to defend their king and country at the hazard of their lives and fortunes, even against the Pope himself, should he invade their country; and, that the alleged duty of Catholic subjects to murder their princes, if excommunicated for heresy, was impious and execrable, being contrary to all the known laws of God and nature.]

I have another instance with which I shall beg leave to trouble the House, and which would go to complete the chain of proofs that show the Catholics are not without principles of allegiance, and which would acquit them of every charge and imputation on their loyalty. It is the oath taken by the Catholics, according to the 33d of the King, in Ireland, after the oath of allegiance.

“ I, A. B., do hereby declare, that I do profess the Roman Catholic religion.

“ I, A. B., do swear, that I do abjure, contemn, and detest, as unchristian and impious, the principle that it is lawful to murder, destroy, or any ways injure any persons whatsoever, for or under pretence of being a heretic; and I do declare solemnly before God, that I believe, that no act, in itself unjust, immoral, or wicked, can ever be justified or excused by or under pretence or colour, that it was done either for the good of the church, or in obedience to any ecclesiastical power whatsoever :

I also declare, that it is not an article of the Catholic faith, neither am I hereby required to believe or profess, that the Pope is infallible, or that I am bound to obey any order, in its own nature immoral, though the Pope, or any ecclesiastical power, should issue or direct such order, but, on the contrary, I hold, that it would be sinful in me to pay any respect or obedience thereto: I further declare, that I do not believe that any sin whatever committed by me can be forgiven, at the mere will of any Pope, or any person or persons whatsoever; but that sincere sorrow for past sins, a firm and sincere resolution to avoid future guilt, and to atone to God, are previous and indispensable requisites to establish a well-founded expectation of forgiveness; and that any person who receives absolution without those previous requisites, so far from obtaining thereby any remission of his sins, incurs the additional guilt of violating a sacrament: and I do swear, that I will defend, to the utmost of my power, the settlement and arrangement of property in this country, as established by the laws now in being: I do hereby disclaim, disavow, and solemnly abjure, any intention to subvert the present church establishment, for the purpose of substituting a Catholic establishment in its stead; and I do hereby solemnly swear, that I will not exercise any privilege to which I am or may become entitled, to disturb and weaken the Protestant religion and Protestant government in this kingdom. — So help me God.”

“ I, A. B. do hereby declare, that I do profess the Roman Catholic religion.

“ I, A. B. do sincerely promise and swear, that I will be faithful, and bear true allegiance to His Majesty, King George the Third, and him will defend to the utmost of my power, against all conspiracies and attempts whatsoever that shall be made against his person, crown, or dignity: And I will do my utmost endeavour to disclose and make known to His Majesty, his heirs and successors, all treasons and traitorous conspiracies which may be formed against him or them: and I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the Crown; which succession, by an act, entitled, ‘ An act for the further limitation of the Crown, and better securing the rights and liberties of the subject,’ is, and stands limited to the Princess Sophia, Electress and Duchess Dowager of Hanover, and the heirs of her body, being Protestants; hereby utterly renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the Crown of these realms: And I do swear, that I do reject, and detest as an

unchristian and impious position, that it is lawful to murder or destroy any person or persons whatsoever, for, or under pretence of, their being heretics or infidels; and also that unchristian and impious principle, that faith is not to be kept with heretics or infidels: And I further declare, that it is not an article of my faith, and that I do renounce, reject, and abjure the opinion, that princes, excommunicated by the Pope and council, or any authority of the See of Rome, or by any authority whatsoever, may be deposed or murdered by their subjects, or any person whatsoever: And I do promise, that I will not hold, maintain, or abet any such opinion, or any other opinions contrary to what is expressed in this declaration: And I do declare, that I do not believe that the Pope of Rome, or any other foreign prince, prelate, state, or potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm: And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatever, and without any dispensation already granted by the Pope, or any authority of the See of Rome, or any person whatever, and without thinking that I am, or can be, acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or authority whatsoever, shall dispense with, or annul the same, or declare that it was null or void.— So help me God.”

Now, I ask, what further answer you require to the charges urged against the Catholics? There is a further—an indictment or information; a criminal proceeding is the only answer. The petitioners against the Roman Catholics may say what they choose as to their good intentions; but, with respect to the pamphlets which charge them with murder and treason as their creed, they must charge them with perjury also. If such a pamphlet was written against my Lord Fingall or Sir Edward Bellew, the printer would say in vain that he did not mean such an imputation. Suppose Lord Fingall should indict the author, would he be suffered to produce the canons in his defence? Would my Lord Ellenborough, or my Lord Kenyon, suffer him to extenuate the offence, by citing the decrees of the council of Constance, or the council of Trent? No. But the author might urge in his defence, that he had no particular meaning injurious to Lord Fingall, or Sir Edward Bellew, but only to four millions of His Majesty's Catholic subjects. But there is another refutation of such a charge

against the Catholics — the impossibility of its truth. It amounts to such a pitch of moral turpitude, as would burst asunder the bonds of civil and social intercourse; it would be a dissolution of the elements of society; and of the elastic principle which binds man to man. It is not merely unfounded, but monstrous; it is not in the nature of man, but in the nature of sects, which, when they contend for power, charge each other with what they know to be false. But there is another argument which I hope the learned divines will excuse me for adverting to. It is, that the Christian religion, or its clergy, are such as to be so described. I will see the tenets of the petitioners against the Catholics; I will first examine them when they pray, and then when they petition. When they pray, they address the Deity as a God of mercy and beneficence, who sent his Son on earth to spread religion, and peace, and love, amongst mankind. When they petition, they suppose that the Deity has abandoned his own revelations; that the human species are sunk in barbarism; that Christians are become monsters; and that the Deity, driven from other nations in Europe, is only preserved by the English divines, the colleges, and corporations. This doctrine goes to establish an exclusive right to power and profit, and, when eviscerated, is nothing more than a contest for those objects. I beg to be understood, as speaking with the utmost respect for those divines who have petitioned against the Catholics, but I must take some liberty with their arguments. I do not dispute the purity of their motives, I only quarrel with the nature of their opinions; and I hope that the time is not far distant, when I shall see the division of sects lost in the union of principles, and behold every denomination acting as one people in one common cause. For what is it, that you would exclude a great portion of your fellow-subjects from the participation of civil rights? They are traitors and murderers according to the tenets which they profess. Here, then, is a proposition by which you would exclude one-fifth of your population from the benefits of the constitution, in order to drive them into those crimes with which you charge them. If you go on, you will scold yourselves out of your connection. I hope, however, that Parliament will consider, whether the elements of concord may not be found amidst this apparent discord. You say, on the one part, that there are legitimate objections; and you enumerate the evils that may arise from the removal of the disqualification of the Catholics. But a great portion of the Protestants of Ireland have not seen those evils. They have petitioned in favour of the Catholics. I have a book, filled with their

names, in my pocket. I know that it will be said again, that the Catholics insist on conditions. I will not take this argument. You, the Parliament, are to frame your bill, and to propose your conditions. The Catholics do not see what security they ought to give. They say, that they have already given every security, though a synod of their bishops has declared that they have no indisposition to every mode of conciliation. "We seek for nothing," say they, "but the integrity of the Roman Catholic church;" but every thing which does not trench on the security of their church, or which is necessary for you, they are ready to grant you. They are against making their liberty a conditional boon; they do not see the necessity of what you demand, but they will give you every security you think necessary, provided it does not derogate from the rights of their church. Then, I say, the privileges of the Catholics, and the rights of the Protestant church, are perfectly consistent, and Parliament should find the means of reconciling them.

Give me leave to say, as to the Anti-catholic petitioners, that many of them do not profess themselves hostile to the principle, but anxious about the mode of extending those rights claimed by the Catholics. They do not say, "Exclude the Catholics, but do not admit the Catholics, unless you take care of our religion." I do not say, that I am obliged to agree that the church of England is an enemy to the liberty of the Catholics; still less that the people of England are enemies to their liberty; so far from it, that I would little fear to repose the question on their good sense and sober integrity. I do believe, that if they believed their religion was safe, they would be among the warmest friends of the Catholics. The only point, then, is the security of the Protestant church, and for that they have pointed out the means—they have no right to say, that they are the only judges of the conditions to be imposed, or to tell you that you can only save the church of England, by denying their prayers to the Catholics of Ireland. You shall have declared, in the strongest manner, all the securities you can ask; you shall have the Crown and its succession confirmed, as fundamental, unalienable, and sacred; you shall have the episcopal church of England, Ireland, and Scotland, as established by law. Some of the petitioners against the Catholics, desire the separation to be eternal; I would secure the church and state, by identification; they would do it by patronage; I by union. I would effect every object by bringing in a bill, which should contain such provisions as would guard the rights of the church, and the colleges, and the corporations; and I would

leave other provisions to be filled up by others in the committee, provided they were not filled up in such a manner as to qualify, or rather to neutralize, the liberty you were conceding, or to displace the gift you were bestowing. Such a measure I think practicable, and I know it to be desirable. This preamble I would make a covenant of concord, in which I would urge the necessity of putting an end to all animosities, national and religious. The two islands have been for two centuries in a state of political contest. I would put an end to it. I would have the liberty of the press unrestrained in every thing but one — the people should not abuse one another out of their allegiance. They have the French and the Dutch to quarrel with abroad, and they may quarrel with ministers at home, or if they do not like that, they may attack the opposition; but they should never wage war against each other. It is a system that you cannot put an end to too soon. You are one people. You have but one interest. The outcry which is raised among you, is neither the voice of religion, nor the voice of nature, and it cannot be appeased too soon. I would, therefore, propose as a first step, that the House should go into a committee on the Catholic claims, agreeably to the resolution of the last Parliament; and I will now read the resolution which I shall bring forward in the committee, as the foundation of a bill. "That with a view to such an adjustment as may be conducive to the peace, strength, and security of the English constitution, and the ultimate concord of the British empire; it is highly advisable to provide for the removal of the civil and military disqualifications under which His Majesty's Roman Catholic subjects at present labour; making full provision, at the same time, for the maintenance and security of the Protestant succession to the Crown, according to the act of limitations, and for preserving inviolable the Protestant episcopal church of Great Britain, and Ireland, and the church of Scotland, their doctrines, discipline, and government, as by law established."

Mr. Grattan then moved, "That this House will resolve itself into a committee of the whole House, to take into its most serious consideration, the state of the laws affecting His Majesty's Roman Catholic subjects in Great Britain and Ireland, with a view to such a final and conciliatory adjustment as may be conducive to the peace and strength of the United Kingdom, to the stability of the Protestant establishment, and to the general satisfaction and concord of all classes of His Majesty's subjects."

Mr. G. Ponsonby seconded the motion. It was opposed by Mr. Tomline, Mr. Banks, and Mr. Yorke. It was supported by Sir Robert Heron, Mr. Plunkett, and Mr. J. Smith; and at three o'clock in the morning, the House adjourned to next day (the 27th). The motion was then supported by Sir J. Hippisley, General Matthew, Mr. J. Daly, Mr. V. Fitzgerald, Mr. Wise, and Sir F. Flood. It was opposed by Sir James Stewart, and Mr. Protheroe. On the motion of Lord Castlereagh, the debate was adjourned, at two o'clock, to Monday (the 1st of March). The debate was then resumed, and the motion was supported by Sir J. Newport, Mr. W. Pole, Mr. Ward, Mr. Whitbread, Mr. Robinson, Sir Thomas Sutton, Viscount Palmerston, and Sir T. Acland. It was opposed by Mr. Peel, Mr. Ryder, Mr. Hart Davis, and Mr. Henry Lascelles. On the motion of Mr. Ponsonby, the debate was adjourned, at two o'clock, until the next day (2d.) The debate was then resumed; and the motion was supported by Sir H. Parnell, Lord Castlereagh, Mr. Ponsonby, and Mr. Canning. It was opposed by Sir Wm. Scott, Mr. Rose, Mr. Manners Sutton, and Mr. Bathurst.

Mr. GRATTAN rose in reply: he would not, he said, at that very late hour, and in the exhausted state in which the House was, enter into any thing but a brief comment upon some observations which he had just heard. I am asked, Sir, why I did not come forward with a specific detail on the part of the Roman Catholics of Ireland, of those grievances, the redress of which they now seek from the legislature, and the securities which they mean to concede. Had I so proceeded, Sir, in what manner would I have been met? I should have been answered, "You, Sir, do not speak the sentiments of the Catholic body of Ireland. You do not speak the opinions of the great population of the land; you merely pronounce the decision of a body, calling itself the Catholic Board; you bring before the House the proceedings of a set of men unconstitutionally legislating out of the kingdom. A party now coming forward, not with the view to consult, but to command the legislature of the empire." Such, Sir, would have been the argument by which I should have been received. But the right honourable gentleman opposite (Mr. Bathurst,) called upon me to institute an inquiry into the principles of my bill, before the proper stage of its discussion, before it should meet with the investigation of a committee. I will do this right honourable gentleman the justice to believe, that his argument in favour of a point so erroneous in principle, so utterly untenable, arises not from his conviction of the correctness of his logic, but is the result of the ministerial situation in which he is placed. He naturally writhes at the idea of this discussion, and easily finds objections to articles not

founded in fact. You, Sir, in a committee will have opportunities of considering, in the most minute manner, the nature of that important subject "Catholic emancipation." It is true, Sir, that from various parts of England and Ireland, a variety of petitions have been presented, which now lie on your table. These petitions are of three different kinds; one class from Roman Catholics praying the removal of disabilities under which the penal statutes had placed them. A second class from Protestant communities, in support of the claims of their Roman Catholic fellow-subjects: and a third class, Sir, praying the legislature to guard against the danger arising from granting the prayer of the aforesaid petitions, and exploring Parliament to guard the supremacy of the established church; the latter, however, in very few instances, objecting totally to the nature of these claims, provided sufficient securities were at the disposal of the state. Very few in England, Sir, very few in Ireland, very few in the empire, are hostile to this discussion. On the contrary, the great majority are favourable to the principle of emancipation; the qualifications of which (if any be deemed necessary) will be the matter to which I would call the attention of the House, should we go into a committee. The right honourable gentleman, Sir, has expressed his displeasure at my remarks on the means which have been resorted to, in this country, and, in many instances, by individuals professing our religion, to procure some petitions, which your clerk has read. I would not, Sir, indulge in any unconciliatory remarks upon the clergy of the country. But when the under clergy of this country charge my countrymen with the crime of holding principles dangerous to the community, with the profession of tenets hostile to the existence of the state, I shall not withhold my astonishment at such a calumny; nor shall I silently submit to the propagation of such libels, without those severe animadversions against them which their conduct deserves. And here I most solemnly protest against the foulness of those proceedings. The honourable gentleman (Mr. Yorke) has been so completely answered by the honourable gentleman opposite (Mr. Canning) that I have little to add upon the inconsistency of his vote. I shall merely confine myself to that part of his speech, in which he directed the bill of rights to be read; and pronounced any repeal of the penal laws to be at variance with the solemn enactments of that celebrated law. I am the more led to remark upon this passage, because it was afterwards enforced by the secretary for Ireland.* These official gentlemen contend, that the exclusion of Catholics from Parliament, forms

* Mr. Peel.

a part of the bill of rights. In answer to the assertion, Sir, I shall produce the authority of Parliament, and refer them to an act of Queen Anne. I shall therefore, Sir, upon their own document, refute their own principle. [Here, the right honourable gentleman read some extracts from this act, at the time of the union of Scotland, also from the Irish statutes; the tenor of which was, "that every person in Great Britain, until Parliament should otherwise direct (the right honourable gentleman particularly called their attention to this reservation), should take the oath prescribed."] He concluded, by contending, that any man of the plainest capacity, need only read the oath, to be fully satisfied that it was a conditional, not a fundamental provision. "I leave to this House to consider its construction; that which is plainly and obviously accompanied by a provisional reservation, can never be recorded as a fundamental enactment."

The House then divided on Mr. Grattan's motion: Ayes 264, Noes 224; Majority in favour of going into a committee 40.

Tellers for the Ayes, Sir Henry Parnell and Mr. William Smith.
Noes, Mr. Bankes and Mr. Lascelles.

It was then resolved, that the House would go into a committee, on Tuesday, 9th March.

COMMITTEE ON THE CATHOLIC QUESTION.

MR. GRATTAN'S RESOLUTION IN THE COMMITTEE ON THE CATHOLIC CLAIMS.

March 9. 1813.

ON this day Mr. Grattan moved, "That the House do resolve itself into a committee, to consider the laws affecting His Majesty's Roman Catholic subjects." Mr. Lushington stated, that as he would not, after the Speaker had left the chair, have an opportunity of delivering his sentiments, he begged to express his apprehensions with regard to any further concessions to the Catholics; that he conceived it was necessary they should disclaim certain doctrines attributed to them, and which he considered as dangerous to the civil and religious liberties of the country. The Speaker having left the chair, the House resolved itself into a committee.

Mr. GRATTAN said, he had thought it unnecessary and inconvenient the other night, when the House showed the greatest anxiety to come to a decision on the question, to go at large into any reply to the arguments against his motion. He

would now, however, remark upon several of them; and in doing so, he thought it right to observe, that he had made an alteration in the resolution, as it was originally proposed. It did not, however, at all alter the principle, but merely modified the terms in which it was expressed. The alteration, which he was sure could not meet with the disapprobation of the opponents of the measure, was to this effect: That the House would take measures for restoring to the Catholics the privileges of the constitution, subject, however, to certain exceptions, and under such regulations as might be deemed necessary to support the Protestant establishment in church and state. This was a suggestion proposed by a right honourable gentleman, with whom, in principle, he completely agreed: and he did most willingly comply with it, not as any dereliction of the principle, but as a modification of the terms in which it was conceived. With regard to the church of Scotland, and the people of that communion, they seemed to be perfectly acquiescent in the wisdom of Parliament on this question. It was of great importance to the motion, that he could say that the presbytery of Scotland were not hostile to the measure of concession and conciliation. The presbytery of Edinburgh were, indeed, against the Catholics, but that of Glasgow was favourable; and he might conclude from their not having petitioned, that the great body of the church of Scotland was friendly to the Catholic cause. Nor could it be maintained, that the church of England, generally speaking, was against the principle, though many of its members had been more active in opposing the measure, than the Scottish clergy had been; and though it may be granted, that many of the clergy were not placable, yet it did not follow as a truth, that the people of England were in general hostile to the communication of their own privileges to the people of Ireland. The opposition to the Catholic claims was respectable: but at the same time they had received great and efficient support. Notwithstanding the opposition, to which he would not deny the name of respectable, how were we warranted to say, that the people of England were against the motion, when so few great public bodies had expressed their opinion? If such was the case with the people of England, sure he was the great body of the Protestants in Ireland were still less unfavourable. The most respectable of the petitions from that part of the empire also, were not founded on the principle of opposition, but on the principle of security to existing establishments. He had no doubt, in short, that the weight of Ireland, both in point of property and respectability, was decidedly in favour of the Catholics.

But supposing the sense of the nation was divided on the subject, this furnished, in his mind, a decisive argument for finishing the controversy by the wisdom of Parliament: if they found the country in a dispute, it was their duty to terminate it as soon as possible. The truth was, that too many at present of those who enjoyed the privileges of the constitution, founded their arguments for exclusion, on topics which affronted and insulted those who were placed out of this constitution; the controversy, therefore, must proceed to mischief, unless the wisdom of Parliament interfered. He was convinced that many people in England, who signed these Anti-catholic petitions, did not understand the ultimate object to which they led; but were influenced by misconceptions and prejudices. If, for instance, they were asked, in plain terms, whether they believe the Catholics were enemies to liberty, and disaffected to government? he had little doubt they would answer in the negative; but, one opposition naturally begot another, and at length, by the mutual warmth of controversy, it might become a question, whether one-fifth of the population was well affected to the government or not. There was no saying where such disputes might end. He regretted that so many of the clergy had shown a disposition to place the security of the church on the principles of exclusion; by so doing, they did all that lay in their power to place it on principles which might be fatal to its existence. With respect to the enemies to the Catholic cause, what had they done? They had petitioned for a monopoly, and said that the concession of the claims would be dangerous. It was a subject fatal to the Protestant monopoly and the Protestant church. This party were for a perpetual division, and desired Parliament to exclude a great portion of the people from the benefits of the constitution; and upon what grounds, upon an argument that tended ultimately to force them out of the empire.

He would again revert shortly to the arguments that were clothed with the sacred name of the act of settlement. He allowed, that it was a point of the act of settlement to exclude the Catholics, but it was by no means an essential part which could admit of no alteration. In the act of union with Scotland, the oath was declared to be subject to future regulation; for it was declared, that it should remain as it then was, until otherwise provided for by Parliament. This sufficiently manifested the power of Parliament to interfere: and when his opponents set forth the consecration of the act of settlement, as an insuperable barrier, he should reply to them with this provisional act of Parliament, which declared, that the oath

was not fundamental, but subject to future regulation. At the time when the union with Ireland was under consideration, it did not appear that it was deemed fundamental. Some of those who were concerned in that measure were still alive, and in the House, and were they, now that they had attained their object in gaining the union, prepared to say, that they looked upon that this day to be fundamental which they then allowed to be provisional?

But the argument upon which some honourable gentleman mainly rested, was the incompatibility of all the plans that had been proposed. His answer was, that a diversity of opinion, as to the mode of effecting Catholic emancipation, was by no means fatal to unity of principle with regard to the object. All were agreed, that the church of England, the church of Scotland, and the church of Ireland, should be amply secured and maintained. Here, at least, was concord. If you are agreed that the Catholic religion was consistent with the welfare of the state, you might have different modes of conciliation, but you were agreed as to one essential point. His right honourable friend under the gallery (Sir J. C. Hippeley), and himself, might think differently as to the particular limitations and exceptions; any plan indeed to be proposed, would of course be the subject of modification, and a matter of debate. When the House resolved to go into the committee, they, in fact, decided that Catholic emancipation, however a question of difficulty, was not a question of impossibility. The question, indeed, before the committee, might be comprehended under three heads, the first was, give full liberty to the Catholics; the second, establish the church, by every requisite security; and the third, impose no conditions incompatible with the Catholic faith. These were the heads of what he should have to propose.

It had been said, that Mr. Pitt had sunk under the difficulties which the subject presented; and as a proof of this it was added, that he never had communicated his plan. But it was certain, that Mr. Pitt went out of office in 1801, not because his plan was impracticable, but from other well known obstacles. He did not think so in 1799, or in 1800, and from his communication through the late Marquis Cornwallis to the Catholics, it did not appear that he deemed the measure impracticable in the following year. That person, on that occasion, sent the letter he alluded to; to the Catholics of Ireland, in which he told them, that "by acting with moderation, and pursuing a loyal and dutiful line of conduct, they would afford additional grounds of argument to the growing number of their advocates in this country, till their object was

ultimately attained." Such was the language of the letter which Mr. Pitt caused to be transmitted to Lord Fingall, Dr. Troy, and others. What, again, did the Marquis Cornwallis say on that very occasion? He gave his formal opinion, annexed to the same communication, that the measure of emancipation was necessary for securing the connection between Great Britain and Ireland. Again, when the question was brought forward by Mr. Fox in 1805, there was nothing in the language of Mr. Pitt to show that he considered the measure impracticable. He said, there was a bar to its agitation, the nature of which was sufficiently understood, but never that it was impracticable. He differed as to the right, but not as to any thing that concerned the question as a measure of regulation. He even alluded to the plan which he had entertained, as consisting of a variety of regulations. Nine months after this period Mr. Pitt died; so that we are now called upon to believe, that what he contemplated as practicable for six years, within these nine short months he found out to be impracticable. But what were the difficulties under which the mind of Mr. Pitt was supposed to sink? Why, they were the difficulties of promoting meritorious Catholic officers on the staff of the army; of admitting such men as Lord Fingall into the House of Peers, and as Sir E. Bellow into the House of Commons! These were the mighty difficulties under which his mind was supposed to have sunk, he who had the ability to destroy 70 Irish boroughs! There was a difficulty started in the Irish Parliament, at the time when it was proposed to grant the Catholics the right of voting at elections; it was then said, that an inundation of Popery would sweep away every thing before it. But what were the effects of this restoration of Catholic rights? Ireland had evidently gained by it; the elections were more free and independent; they were now founded not on monopoly, but on property and respectability.

In addition to Mr. Pitt, he begged leave to name Mr. Burke, Mr. Fox, and Mr. Windham, distinguished statesmen and philosophers, and strenuous supporters of the Catholic claims. He might also enumerate men of learning, like the bishop of Llandaff, and the bishop of Norwich, a name that would be ever respected, and which was dear to every friend of religious liberty and social freedom. It was also remarkable, that the Lord-lieutenants of Ireland, for the last 50 years, were uniformly in favour of them. Lord Fitzwilliam was decidedly so: Lord Camden, who went over to Ireland with opposite sentiments, and who lived in that country at a most trying time, when he could not avoid knowing the opinions of the Catho-

lics, was ultimately for concession. He, too, was the friend of Mr. Pitt, and might be supposed not unacquainted with the sentiments of that individual. Lord Cornwallis publicly declared it essentially necessary for preserving the connection between Great Britain and Ireland. This was the practical conclusion formed by a statesman and a soldier, at a most critical period of Irish history, and was entitled to the utmost respect. Lord Hardwicke did not go over a friend to the measure; but after some years' residence as Lord-lieutenant, he altered his opinion, and now supported it by his vote. His right honourable friend, the late secretary for Ireland (Mr. W. Pole), had, at first, opposed the Catholics on account of the obstacles that existed in certain quarters to the granting their claims; but when, by the removal of the restrictions on the Prince Regent, such obstacles were done away, and after his right honourable friend had derived from five years' official residence in Ireland a high degree of experience on this subject, he had voted in favour of the Catholics, and had stated, that, in his opinion, the country could not do well without some measure of the kind. He had, for this, been charged, and, in his opinion, unfairly, with inconsistency. His right honourable friend's mind was not stationary, like the minds of those who made this idle accusation. He showed that it was progressive; and he was right, for time and circumstances had operated very powerfully in favour of the Catholic question.

There was a time when Roman Catholic emancipation would not have been heard of without horror; but the intenseness of the prejudice as had been stated by an honourable gentleman on a former night, the intenseness of the prejudice had been weakened. Those professing the two religions had advanced much nearer to each other in spirit; so that, though they still differed on points of faith, they were much more likely than formerly to coalesce in other respects. He intended to propose certain resolutions, 1st, That the Catholic disabilities should be removed. 2d, That the establishments in church and state ought to be effectually secured; and he should then propose regulations for the ecclesiastical courts, and other matters, and an oath against foreign influence. It might be demanded of him to state the regulations; but he would not, and for this reason, that under pretence of opposing these regulations, some gentlemen would oppose the principle. He would only say, that if any gentleman on the other side proposed any regulation of security not trenching on the Catholic religion, he would support it; for he valued the principle so much, that he would not hazard its loss by

precipitation and punctilio. His object was to lay the seminal principle of making the inhabitants of the empire an united people. The language we ought to hold was, we are friends to your liberty, and to our own religion. Suppose he was to introduce a clause into the preamble of his bill, saying, it was necessary that the Protestant succession should be secured, in order to obtain the concurrence of some of those who opposed his measure, — would they not then admit that to be provisional now, and not fundamental, which they formerly, in their comments on the bill of rights, contended to be fundamental, and not provisionary? For his own part, he must say that he valued the principle too much to surrender, or lose it for reasons of regulation. If once admitted, it would make the empire one, for it was a principle of union and regeneration.

If the resolutions were agreed to, he should then move for leave to bring in a bill: but he was not desirous of precipitating the measure. He thought that time ought to be given for men's spirits to cool; that they should not legislate without consulting the feelings of the people; and that, in the mean time, they should repose upon the good sense of both countries; and not take any step that would deprive the cause of the benefit of that good sense. It might be asked, why the Catholics did not protest against the violence of some of their own body? The answer was, that Parliament had not given them encouragement. But when the arm of Parliament should be once stretched out to the Catholics, there would be many wise and moderate enough to embrace it. By thus evincing a conciliatory disposition towards the Catholics, Parliament would, at all events, show that the fault did not lie with them, should the measure prove unsuccessful. Let them send out the dove, and she will bring back the olive.

The right honourable gentleman concluded, by moving, "That, with a view to such an adjustment, as may be conducive to the peace and strength of the United Kingdom, to the security of the established church, and to the ultimate concord of all classes of His Majesty's subjects, it is highly advisable to provide for the removal of the civil and military disqualifications, under which His Majesty's Roman Catholic subjects now labour; with such exceptions, and under such regulations, as may be found necessary for preserving, unalterably, the Protestant succession to the Crown, according to the act for the further limitation of the Crown, and better securing the rights and liberties of the subject, and for maintaining, inviolable, the Protestant episcopal church of England and Ireland, and the doctrine, discipline, and government thereof; and the church of Scotland, and the doctrine,

worship, discipline, and government thereof, as the same are respectively by law established."

The motion was opposed by Mr. Abbot (the Speaker), Mr. Bragge Bathurst, Dr. Duigenan, and Mr. Bankes. Mr. Bathurst objected to the mode of proceeding, inasmuch, as in questions relating to the alteration of the laws, the person making the proposition generally described the measure in all its bearings; the present resolution gave them very little, if any, information at all. The motion was supported by Mr. Ponsonby, Sir John Newport, Sir John Cox Hippisley, Lord Milton, Lord Desart, Mr. Wilberforce, Mr. Canning, Sir Charles Burrell, Sir Frederick Flood and Lord Castlereagh.

The committee divided: for the resolution 186, against it 119; Majority in favour of Mr. Grattan's resolution 67.

The House then resumed; and the Chairman brought up the report.

On the motion of Mr. Grattan, leave was given to bring in a bill; and Mr. Grattan and Mr. Ponsonby were appointed for that purpose.

ROMAN CATHOLICS.

SIR JOHN COX HIPPISELEY MOVES FOR A SELECT COMMITTEE TO EXAMINE AND REPORT ON THE STATE OF THE LAWS AFFECTING ROMAN CATHOLICS.

May 11. 1813.

ON the 13th of April, Mr. Grattan brought up the bill for the relief of the Roman Catholics. It was read a first time, and ordered to be printed, and read a second time on the 11th of May. Mr. Canning presented some supplemental clauses, which were also ordered to be printed; and on this day (11th) Sir John Cox Hippisley brought forward the motion, of which he had given notice, for the appointment of a select committee to enquire into the Catholic securities, and their intercourse with the See of Rome. Previous to making any observations, he enquired of Mr. Grattan, whether he meant to press the order of the day for the second reading of the Catholic bill; to which Mr. Grattan replied, that after the honourable baronet had concluded, it would be for the House to consider, whether they would go on with the subsequent question or not. Sir John Hippisley then proceeded: he stated, the object of his motion was to obtain information on the state of the laws affecting Roman Catholics, and their establishments at home and abroad; he entered into a long and elaborate statement of the regulations and institutions of the Roman Catholics; he read a variety of extracts from a num-

ber of papers on the subject, and argued that information on these subjects was very desirable before any final measure was adopted with respect to the Roman Catholics. He concluded an erudite but antiquated disquisition, by moving,

“ That a select committee be appointed to examine and report the state of the laws affecting his Majesty’s Roman Catholic subjects within the realm; the state and number of the Roman Catholic clergy; their religious institutions, and their intercourse with the See of Rome, or any other foreign jurisdiction; the state of the laws and regulations affecting his Majesty’s Roman Catholic subjects in the several colonies of the United Kingdom; and the regulations of foreign states, as far as they can be substantiated by evidence, respecting the nomination, collation, or institution of the episcopal order of the Roman Catholic clergy, and the regulations of their intercourse with the See of Rome.”

Mr. GRATTAN rose, he said, for the purpose of opposing the proposition of his honourable friend. He certainly should feel a considerable degree of difficulty in answering the speech with which his honourable friend had prefaced his motion; not on account of any force or cogency of argument observable in it, but from its extraordinary length, and the immense extent of the subjects which it comprised. He begged leave, however, before he entered into the consideration of his honourable friend’s speech, to return him his most sincere thanks for the great services he had on former occasions rendered to the cause of religious liberty — services which never could be forgotten, and which rendered it painful to be obliged to differ from him on the present occasion. His honourable friend now proposed, “ That a select committee should, in the first instance, be appointed to examine the state of the laws at present affecting the Roman Catholics.” Connected with this subject, there were four other propositions, embodied in the same motion, the whole of which proceeded on the supposition that the House were ignorant with respect to the Catholic question. His honourable friend must surely have forgotten, that thirty-five years had now elapsed since the question was originally discussed, and that twenty years had already been consumed in this inquiry. Could he not call to his recollection, that it was brought before Parliament in 1791, again in 1792, in 1793, in 1795, in 1805, (on a motion made by Mr. Fox), in 1808, in 1810, twice in 1811, and three times, both in 1812 and 1813? Had he forgotten the part he had himself taken in those different discussions, as well as the various books he had published on the subject? Was it possible that he had lost all remembrance of the victories he had gained — of the adversaries he had put to flight — of the theological arguments which he had conducted, so much to

his own honour, and so decidedly to the discomfiture of his opponents? would he now contend, (for so, in effect, he did, when he stated that the subject was not understood by the House), that all his labours had been useless, or was it by a very strange excess of self-denial, that he wished to forego the fruits of those victories. and fight his battles over again, giving his enemies ground for claiming a triumph, where they had sustained signal and complete discomfiture? No! this was impossible; his honourable friend's motion was defeated by the services which he had performed, his very successes in this way deprived him of the power of now saying, that the country was uninformed upon the subject. Under what circumstances were they called on to accede to this proposition? A resolution had been passed, in which the House stated, "That it was advisable to make provision for the repeal of the remaining penal laws," and what was the motion of his honourable friend? "That a committee should be appointed for the purpose of inquiring into the grounds on which you, the House of Commons, have resolved that it is so advisable." After a debate, which continued for several days, the House came to this conclusion, "That it was highly advisable to provide for the repeal of those laws;" and now they were called upon to enter into an examination of the principles by which they were influenced. With all respect to the House, he would suggest that such a measure would be little short of a disavowal of their own act. If they adopted it, they would tacitly say, that they regretted their admitting the introduction of the present bill. They would avow that their resolution was precipitate. The honourable baronet had confessed, that if the effect of his motion should be to get rid of this bill, he thought it would be so much the better. Now, it would be for the House to determine, whether it would be right to get rid of the bill in such a manner. The question was not, whether the House would go into this committee merely, but whether they would reject the bill then pending? that, and that only would be the effect of such a proceeding. It would not be a rejection for six months, or for a session, but it would be a rejection for an indefinite period.

The whole question of Catholic liberation would be postponed; not, as he had already observed, for a certain period. No! it would be postponed till all the penal laws were examined. Not merely those laws which were enacted since the reformation, but those which were made before it; not only our own laws against Catholics, but the proceedings in colleges, and ecclesiastical courts, and all the controversies on doubtful and disputed points. To demand of them to ex-

mine the laws affecting the Roman Catholics, was, in effect, to ask them to do that which, in respect to time, could not be done for a very long period. And could it be supposed, that any rational man would agree to a measure which must inevitably put off the adjustment of this great question for ten, or even for twenty years, or could it be supposed that any person who wished for the success of the Catholic cause would be satisfied with such a delay? Could it be supposed that the Catholics could be contented that their claims should be kept back for nine or ten years, until a committee had made a report upon the immense mass of matter which the honourable baronet wished to refer to them? His honourable friend had alluded to the proceedings in the case of the slave trade, and observed, that the legislative proceedings on that occasion were preceded by the labours of various committees. But it should not be overlooked, that that question was first agitated in 1788, and the bill was not passed till 1807, a period of nineteen years, during which time incessant appeals were made to the justice and humanity of Parliament. In fact, if the motion were granted, they would do worse than reject the bill; because they would do it with a sort of apology, which stultified themselves, by a confession of ignorance, which they ought not to evince on any subject, and which, on this particular subject, they could not be supposed to possess. He objected to this intended exhibition of the penal laws, because it was not necessary with a view to their repeal, and much matter was contained in them which was calculated to produce discontent and irritation. It was on this ground, that an honourable gentleman on the other side of the House had opposed the production of a book which enumerated a considerable number of the penal laws still in existence. That honourable gentleman was of opinion, that no benefit could result from such a statement of grievances, but they were now called upon to do that by the committee which, in the particular instance referred to, had been refused, and themselves to furnish those topics for animosity, by holding forth to the public as acts in force, those which were in fact, and in practice, obsolete.

This committee would not only revive the odious name of the penal laws, but it would answer a variety of other purposes. It would be a judicial committee, in which the charges against the Catholic bishops would be investigated; and whatever the result of such an enquiry would be, he conceived that it was one not at all consistent with the dignity of the House. It would not perhaps actually tax them with disaffection to the government, but it would certainly, whatever might be the

extent of their suspicions, or accusations, put them and the whole Catholic body on their trial, and this on the suggestion of an individual. The committee which the honourable baronet proposed, was not merely to examine the acts of religious councils, but it was likewise to be a committee of diplomacy, for it was to examine all the acts which had been done by foreign states upon this subject; and until their report could be had, no bill was to be brought in for the relief of the Catholic, or the security of the Protestant. After this laborious investigation, a report was to be drawn up; and, until that report was made, no bill for the relief of the Catholics and the security of the Protestants could be introduced. Therefore, on the same principle which induced him to seize the opportunity of bringing in the bill, he must oppose a motion which would have the effect of frustrating every thing that had already been done. In stating the necessity of thus opposing his honourable friend's proposition, he could assure him, that he felt the highest respect for him personally; and that he gave him full credit for the great services he had rendered the Roman Catholic body—services, which no difference of opinion could ever obliterate from his mind. Having said thus much, he thought it was necessary to state, briefly, the nature of his bill; and the more so, because it was said, that it had given great offence in Ireland, and created a flame throughout that country. This assertion he positively denied. As far as his correspondence extended, the Catholics, in general, were well pleased with the provisions of the bill; the great body professing the Catholic religion were ready to receive, thankfully and gratefully, whatever the House of Commons thought proper to grant; and they were willing to give every security, provided it did not trench on their religious principles or their civil rights. The order of the day was for the second reading of the bill for the relief of the Roman Catholics. That bill consisted of four parts: it began first by conceding the right to sit in Parliament; it secondly communicated the privilege of voting at elections for members of Parliament; thirdly, it gave to the Roman Catholics corporate rights; and fourthly, it also opened to them civil and military offices. It was, in fact, what it was intended to be, a bill of incorporation. There were many penalties now existing in the books, but which were never enforced; and it would, of course, be desired, that they should no longer exist, even in the books. The main object of the bill, however, was a communication of rights and privileges to the Catholics, under such restrictions as should be considered sufficient securities for the Protestant church. By

giving the Roman Catholics great political privileges in common with their Protestant fellow-subjects, they would be incorporated with them; their present disabilities would be rendered of no avail; and the remaining penal laws might be swept out of the statute book at any future period. It was said, that some bodies of Catholics not only disapproved of the bill, but had reduced their objections to the form of resolutions. He, in consequence of this report, made it his business to enquire very minutely into the fact, and he found that the statement was not true. He learned that the Catholic board, which was more particularly alluded to, had entered into no such resolutions; that board had not sanctioned or adopted the sentiments imputed to them in the public papers; and, therefore, the argument founded on the assumption that they had, was not tenable. It was an argument resting on a report, which report proved not to be founded in fact. When the Catholic board were apprised of the successful motion which had been made in support of Catholic emancipation, they returned thanks to those gentlemen who had taken the lead on that occasion, and who had been entrusted to frame the bill. They met a second time, but no act of theirs could be construed an abandonment of their former approbation.

At their last meeting, they merely resolved to send an additional number of delegates to London, but they expressed no dislike to the measure proposed for the relief of the Roman Catholics. Having, in the first instance, thanked those who were instrumental in bringing in the bill, it was not to be inferred, because they intended to dispatch delegates to London, that they, therefore, felt dissatisfaction at the measure.

And, if the Parliament were never to pass an act in favour of the liberty of the subject, because some newspaper opposed it, or to come to an amicable understanding with the Roman Catholics, because some individual thought fit to set his *veto* upon a particular measure, it would be in vain to think of ever adjusting those differences. Even if the proceeding excited some local dissatisfaction, still, he contended, they ought to go forward.

A great measure ought not to be abandoned, because the newspapers, or a few individuals, opposed their declamation to that which would produce public concord, and minister to public security. The whole conduct of the Roman Catholics shewed, that their gratitude kept equal pace with the benefits which were conferred on them. There seemed to be a regular principle of action and re-action; and, in proportion as the legislature advanced towards them with feelings of con-

ciliation, they appeared most anxious to afford every facility and accommodation in their power. If they acted on this principle, they would withhold from the Catholic body what they demanded, and to withhold it with justice, they must fasten on them the imputation of discontent as a body; but that could not be done. Their letters all breathed a spirit of conciliation which did them infinite honour, and supplied proof of the security of their friendly resolution. They had met advance with advance, and there was no reason for either party to recede. He conceived, that the Catholic body had fairly met the disposition manifested by the House to attend to their claims. As it was a general principle in natural philosophy, that reaction was equal to action, so it was found, that as soon as Parliament evinced a wish to meet the question, a correspondent wish was manifested by the Catholics to come to an accommodation. On these objections to the bill, which appeared in the public papers, (although he would not allow that they came from the Catholic board), he should make some observations. They appeared to him to be founded in complete mistake and misapprehension. The first objection was, that the bill did not give the Catholic peer a right to vote at the election of peers. This, however, was a mistake; the bill did grant that right, on the new oath being taken. The act of union already qualified every Irish peer to vote for the peers to sit in Parliament, provided that they took the same oaths which must be taken by the sitting peers. The present bill made such an alteration in the oath, as would allow the Catholic peer to take it, and the new oath formed the qualification for the sitting member; and, being taken by the Catholic peers, generally invested them with the right of voting.

It was next asserted, that the bench was not included in the bill. But how could this be supposed, when the bill specifically stated them to be "eligible for all civil offices of trust," with the exceptions stated? The same observation would apply to the objection of the Catholics being excluded by the bill from corporations. They would not be excluded. The Catholics were, by this bill, admitted to all corporate rights. But it was objected, that though their disqualifications might be removed by the provisions of the bill, still they would be excluded in consequence of bye-laws. Now, the bye-laws alluded to, were those which at present imposed the oaths of supremacy and abjuration, on those who became members of a corporate body. But by the present bill, those oaths were removed, and no corporation could continue them con-

trary to the law of the land; therefore the bill granted corporate rights and privileges.

It was also contended, that Catholics were, by this bill, excluded from colleges, and prevented from becoming guardians to Protestants. Neither of these assertions were better founded than those which he had already referred to. The bill only excluded them from being on what was called the foundation of Protestant ecclesiastical colleges. In this respect, it was thought proper, that the law should stand as it is at present. Neither would the Catholics remain excluded by the present bill from the power of being guardians to a Protestant; and a recent decision of the Lord Chancellor for Ireland (Lord Manners,) made it doubtful, whether they could be so excluded as the law now stands. These, he believed, were the principal objections to the bill; but they were not made by the Catholic board; they were objections which arose to the minds of individuals; but he had no hesitation in saying, that they were unfounded. By the bill, the Catholics were admitted, 1st, to the right of election; 2d, to corporate rights; 3d, to franchises; 4th, to the bench; 5th, they were not excluded from colleges; and 6th, they were not prevented from acting as guardians to Protestants. On the whole, it was a bill of incorporation; a bill granting substantial emancipation to the Catholics, and, at the same time, affording ample securities to the Protestant establishment.

Another objection had been made, that the bill did not go upon the general principle of liberty of conscience, and did not comprehend other classes to which the Catholics wished the same extension of civil liberty. In answer to this objection, he should put it to the House, whether the committee would have been justified in framing their bill upon an abstract proposition of this nature. They conceived, that they were bound only to consider the case which the petitioners had stated, and that they were not at liberty, by introducing other matter, to deprive the Catholics of their own case. If they had done so, the committee would not have known how to face the House with a bill upon a principle so different from that which was expected from them. The great object of the bill was, the adjustment of the claims of the Catholics; but the principle and soul of it was their incorporation with Protestants into the general body of the empire. It was for this reason, that the repeal of the penal laws was an object of far inferior importance. The great question was, the repeal of those oaths which now prevented the incorporation. In fact, the committee had abstained from touching much upon the penal laws, as that could have no

other effect than to bring forward a great quantity of irritable matter. The repeal of those laws would be doing nothing without repealing the oaths.

It was alleged, that they ought to have introduced a bill, containing a specific repeal of all the penal laws.

In that case, they would have been under the necessity of proceeding by a numerical enumeration of those laws, a mode to which he had many objections. The great object which they had in view, was a conciliatory adjustment of the Catholic claims; and incorporation formed the very soul and essence of that adjustment. The laws which operated to prevent that incorporation, were those that enforced the taking of the oaths. The gentlemen who formed the bill, thought it better to remove those laws, without specification, by introducing new oaths; and he considered that to be a final adjustment, by which those obnoxious acts, although not mentioned by name, were rendered null and of no effect. If they had pursued a different course, and introduced a numerous detail of the penal laws, they would have been compelled to bring forward matter of a very irritable description. Without removing those test laws, nothing could be done; but by setting them aside, all the other acts were rendered of no avail, and left to be done away by the legislature at any future time. This was the principle which was acted upon, in 1778, in the Irish Parliament. In the bill brought in at that period, a clause was inserted repealing the test act. That bill was sent back from England, that particular clause having been expunged, and they were obliged to pass the act without this provision. In the act of 1793, the Irish Parliament did not state, numerically, the laws which were repealed. They proceeded on the principle now adopted, and administered great constitutional rights to the Roman Catholics. Having thus acted with the best motives and intentions, they hoped for the support of the House.

Having stated that the present bill gave emancipation to the Catholic, he had next to state the securities it gave to the Protestant. Those securities were to be found principally in the exceptions which were to be found in the bill, and in the alteration of the oath. 1. The first was, the exception of the situations of Lord-chancellor of England and Lord-lieutenant of Ireland, which were withheld from Roman Catholics. The office of Lord-chancellor comprised a great deal of ecclesiastical patronage; and the Lord-lieutenant of Ireland was the representative of the King, who must be a Protestant, independent of which circumstance, he possessed very considerable ecclesiastical gifts. 2. The second exception related to

the right of holding advowsons, or presenting to livings. Where any Roman Catholic possessed an advowson, Protestant commissions were appointed to superintend its disposal. 3. In the third place, all officers in ecclesiastical courts were excepted. 4. The fourth security is, the exclusion of the Catholics from all ecclesiastical courts of judicature. 5. By the fifth, all courts of appeal, or review of ecclesiastical matters, were likewise excepted. 6. Catholics were also excluded from situations in ecclesiastical schools. 7. They were prevented from any interference in the disposal of Protestant benefices. 8. All Roman Catholics were excluded from any episcopal authority within these realms. 9. The ninth security is, the exclusion of non-resident native Catholics from such ecclesiastical duties and functions. 10. The tenth security consisted of an oath, containing a great variety of clauses. By it, the Catholic swore to his allegiance, and abjured the supposed regicidal and deposing power of the Pope. It also abjured the temporal power of his holiness in these countries; the infallibility of the Pope, as an article of faith; and the principle, that no faith was to be kept with heretics. By it the Catholic deposed, that he would support the Protestant succession, and the present state of Protestant property; that he would discover all plots and treasons which came within his knowledge; that he would not make use of any power he obtained in the state, either to its injury, or to the overthrow of the Protestant church; and that, in the nomination of any bishop, or apostolic vicar, no man should be chosen, with his consent, of whose loyalty and tranquil disposition, he was not convinced; and the clergy were also to swear that, in the election of persons to be recommended to the apostolic functions, they would never choose any persons whose loyalty and good conduct were not known to them. The oath, also, bound him to hold no intercourse with the See of Rome, which, directly or indirectly, could disturb the Protestant church in England, Ireland, or Scotland; and that his intercourse with that see should be purely of a spiritual nature. He was aware, that some gentlemen would enquire, why the oath was so very long and particular. To this, his answer was, that those who drew up the present bill, found a part of that oath already established. They did not wish to alter a single article of it, as they felt it their duty to increase and not to diminish the securities now existing; therefore, they had made a variety of additions to it, comprising every point which was connected with the safety either of church or state. The present oath was generalized; it was not necessary for a Catholic clergyman to take the former oath, unless

some office were conferred upon him; but the oath being generalised, it would now, by law, be necessary for every Roman Catholic in the United Kingdom to take it. They had, therefore, added to the present oath the obligation of disclosing treason, and of not recommending any clergyman whose loyalty was not well known. They had also extended the obligation of the oath. The former oath was only required to be taken on the acceptance of some office; the present oath, however, was proposed to be extended generally to the clergy, as well as to the laity. These, then, were the securities. Whether the House would consider them to be sufficient, he knew not. But great securities they unquestionably were.

A right honourable gentleman, he begged leave to call him his right honourable friend (Mr. Canning), had suggested some additional clauses. He proposed the appointment, by Parliament, of Protestant commissioners, with power to withhold their assent to the nomination of those bishops and apostolic vicars, of whose loyalty they entertained any doubt; and also with power to inspect the papers and books connected with those nominations, with a proviso that they should be bound not to betray the secrets of the Catholic church. These clauses would amount to a complete security for domestic nomination. His right honourable friend had touched the subject with a delicate hand. *Those appointed to frame the bill had not introduced the clauses into the bill*, not because they disapproved of them, but because they did not know how far the Catholic body might approve of their introduction. For his own part, he thought they were liberal in their nature, and that they ought to be received.

He would now say a very few words on the general merits of the bill now before the House. It would, no doubt, undergo some alterations here; but such as it was, it amounted to a plan of perfect domestic security and liberality — a plan, for the accomplishment of which, the greatest statesman of this country had struggled in vain — a plan that, he trusted, at no distant period would be completed. If, however, the motion of the honourable Baronet were acquiesced in, and this committee should be appointed, he should not dare to hope to witness the fulfilment, not only of his wishes, not only of the wishes of the majority of this House, but of the wishes of the majority of the nation. This was a bill of Catholic emancipation, in which were provided three main securities for the Protestants. The first and greatest, was incorporation; the second, a positive bar against domestic Catholic influence; and the third, an effectual provision against foreign

Catholic interference. This measure, they submitted, ought to receive the sanction of the legislature; Parliament had already pledged itself to concede it. It has already declared, that it was expedient to repeal the laws which deprive a great portion of their countrymen of privileges they ought to enjoy, for the sake of producing general harmony, security, and happiness. Let Parliament, then, fulfil the pledge it had given to the nation, without being diverted from its obvious duty, by motions like that to night proposed. The bill was before it; nor could any solid objections be urged, unless by those who are enemies to Catholic privilege and Protestant security. He then moved the other orders of the day.

The original motion was supported by Mr. Ryder, Mr. Bragge Bathurst, and Lord Desart. It was opposed by Mr. Canning and Lord Castlereagh. The former, in a very humorous speech, replied to Sir John Hippisley. He observed, that the object of his motion was to make a circuit of the world, and to gather from every foreign power, and every foreign nation, whatever information they possessed upon the subject. He called upon the House to pause before they came to a final decision upon the subject; to pause until they collected information from Africa; to pause until they collected information from Canada, until some dexterous ambassador had inveigled foreign bishops into a confession of all they knew; to pause until the honourable Baronet himself had emptied the stores of his own mind, and the bursting contents of the box. After all those recommendations, after all the honourable baronet had said upon the subject, and after all the matter to which his motion was directed, he still saw upon the order-book, that Sir J. C. Hippisley proposed to move for sundry other papers. He was not altogether so deeply read in the theologians as the honourable baronet; but he reminded him of one of that class, who wrote a book bearing the title *Tractatus de Omnibus Rebus*, with this postscript *et de quibusdam aliis*. The House was not to be deluded into the idea that the contents of the box was all they had to travel through. They must go at least through one hundred and twenty volumes in folio, before they could collect the necessary information even for a single question. He took the trouble to look through some of these volumes. There was, first, St. Austin's Works, 11 volumes in folio. If they read him, they must also read at least eleven volumes more of commentary. There was Thomas Aquinas, who was called the *Dr. Angelicus*. He only wrote three volumes in folio; of the two latter, it was said *Animam Augustini transmigrasse in Thomam*; and he had some doubt, whether it may not, with justice, be said, that the soul also of Thomas Aquinas had transmigrated into the honourable baronet. Scotus, the *Doctor subtilissimus theologium*, was also to be read. He and Thomas Aquinas, the *Doctor Angelicus*, were opposed to each other, tooth and nail; but he doubted whether they were more opposed to each other, than the honourable

baronet was to himself. Scotus wrote twelve volumes folio. He would now come to Bellarmin. This gentleman wrote four volumes in folio. It was upon him, that Dr. Milner chiefly relied; and if Dr. Milner was to be examined before the select committee, how would they possibly make up their minds upon the Dr.'s evidence, without reading the works of Bellarmin? If all this was to be read before they came to a decision, what an interminable horizon were the Catholics to look to before the difficulties could be removed which the honourable baronet, partly from reading, and partly from inspiration, had discovered?

At half-past two in the morning, the House divided on Mr. Grattan's amendment, "that the order of the day for the second reading of the Roman Catholic relief bill be now read," Ayes 235, Noes 187; Majority 48.

Tellers for the Ayes, Mr. Macdonald and Mr. Greenhill.

Noes, Earl of Desart and Mr. Barry.

It was then ordered, that the second reading of the bill should stand for Thursday the 13th of May.

COMMITTEE ON THE ROMAN CATHOLIC BILL.

THE SPEAKER (MR. ABBOT) MOVES THE OMISSION OF THE WORDS IN THE FIRST CLAUSE, " ADMITTING THE CATHOLICS TO SEATS IN PARLIAMENT."

May 24. 1813.

ON the 13th of May, Mr. Grattan moved the order of the day, for the second reading of the Roman Catholic Bill. It was opposed by Dr. Duigenan, who moved, that it should be read a second time on that day three months. It was supported by Mr. Charles Grant, Sir Frederick Flood, Sir John Cox Hppisley, Mr. Ponsonby, Mr. Wilberforce, Mr. Canning, and Lord Castlereagh; who was of opinion, that as far as oaths went, sufficient security was provided by the bill; he conceived that the intercourse with the See of Rome should be regulated; and, as was proposed at the period of the Union, that an establishment should be provided for the Catholic clergy. It was opposed by Mr. Bathurst, Mr. Ryder, and Mr. Robert Peel.

On a division, the numbers were, for the second reading 245, against it 203; Majority in favour of the second reading 42.

On the 19th, Mr. Grattan moved, that the House should resolve itself into a committee on the Catholic Relief Bill. He presented several additional clauses, as did also Mr. Canning. They were brought up, read, and ordered to be printed. Mr. Plunket stated, that the clauses met with his approbation; and, after a few words from Mr. Ryder, Mr. Lockhart, and Lord Castlereagh, it was

ordered, that the committee should sit again on the 24th; and, on this day, Mr. Grattan moved the order of the day for the House to go into a committee, when the Speaker rose, and entered at considerable length into the question. He stated, that the bill would not procure satisfaction; that the Catholic Board in Dublin had disapproved of the measure; and that neither the laity nor clergy were satisfied. He stated a variety of arguments which had been repeatedly used against the measure; and concluded by moving, "That the first clause, permitting the Catholics to sit in both Houses of Parliament, be omitted." This amendment was supported by the Chancellor of the Exchequer (Mr. Vansittart), Mr. Bathurst, Mr. Yorke, Mr. Banks, Mr. Manners Sutton, and Sir John Nicoll, who strenuously opposed the original motion, and contended, that the state was fundamentally and exclusively Protestant; that not only the church and the Crown were Protestant, but that the counsellors of the Crown, the two Houses of Parliament, the judicial system, the magistracy, and the chief branches of the military and naval establishments of the country, all were Protestant.

The amendment was opposed by Mr. Whitbread, Mr. Ponsonby, Sir John Hippisley, Mr. Tighe, Mr. William Fitzgerald, Lord Castlereagh, and Mr. Canning.

Mr. GRATTAN rose: "Sir, I rise to direct the attention of the House to the course of opposition which has this night been taken to the great measure now under discussion, and shall commence with the right honourable gentleman (Mr. Yorke), who has last spoken in the debate. He has emphatically told you, how futile must be the success (if such should attend it) of this bill, when it is evident its provisions will never be complied with by the party for whose relief it has been framed. Now, Sir, I say that such a mode of reasoning goes too far, it proves too much, for what is the deduction? why, that there will be no Catholic episcopacy; because, if the clergy do not comply with the provisions of this bill, there can be no episcopacy; it must, in such case, expire; and the very body which the right honourable gentleman holds *in terrorem* before your view, can no longer (upon his own argument) have existence; his fears are therefore, visionary, and his reasoning groundless. So far for the clerical argument. Now, Sir, towards the admission of Roman Catholics into Parliament: here again the argument of the right honourable gentleman is built upon no foundation. Can any man in his senses credit the assertion, that the ingress of the Catholics to this assembly can be productive of the effect described? Is the right honourable gentlemen so ignorant of the constitution of this House, as for a moment to believe the principle he has himself laid down?

I shall not pay him so poor a compliment as to think he does. Does he, Sir, take it for granted, that this is a Catholic House legislating for a Protestant people? or does he not know that this is a Protestant House legislating for a Catholic people? a Protestant people, a Presbyterian people, a Dissenting people? A House, Sir, making laws for a whole and a divided community; not a particular body enacting for a particular sect. The admission of a few Catholics here left the constitution were it stood. It left it as it found it, a Protestant body. The principle of this bill is incorporation, uniting the jarring differences of many religions. Another argument equally defective, equally erroneous, has been sounded — sounded with acclamation this night; namely, that it is impossible to unite the Catholic with the Protestant; also, that the Catholic himself protests against this measure. This assertion I deny, — I repeat, Sir, this denial; let those who cheer, contradict me. I expect nothing from their moderation; — I now challenge them to the proof.

What, Sir, constitutes this impassable abyss of separation between the Catholic and the Protestant? Why, forsooth, the belief of transubstantiation, the invocation of saints, the worship of the Virgin Mary. Oh, limited view of human nature! Oh, preposterous conclusion! No, Sir, it is not those visions which have separated the community; the cause of this separation, such as it is, has arisen from the enactment of your civil penalties, continues only by their operation, and with them only can have extinction and oblivion. A right honourable gentleman (the Speaker), whose great authority in the House, I willingly admit, has told you that the representatives of Ireland will, if this clause should pass, be entirely Catholic, that the Catholics will engross the nomination of 100 members in this House. I deny this conclusion wholly; I deny the right honourable gentleman's authority here. Why principally Catholic? It is necessary for the Speaker to prove, that the entire property of Ireland is in Catholic hands. The fact is not so, the great proportion of that property which would be represented, should this bill pass into a law; that great proportion, I assert, is in Protestant hands; and the just conclusion, generally speaking, must be, that a Protestant representation would still emanate from it. Again, I am told, you are about to erect a Catholic ascendancy in Parliament. This, like the other arguments, proves, what? the discomfiture of the supporters of exclusion and monopoly; because, to give effect to this argument, you must make forty a greater effective number than six hundred; you must make seven or eight the majority of four hundred. I contend for it, forty Catholics would be the major number which this bill would

introduce into one House; seven or eight, the major number, it could introduce into the other. Therefore, Sir, this is to be the foundation of a Catholic ascendancy, and this is the argument directed to 658 legislators! This is the principle upon which exclusion is to be pronounced towards millions of people, and here is the argument and the authority upon which we are to arrive at conclusion! Therefore, I repeat, the right honourable gentleman's authority, great as it is in general, is, upon this particular cause, no authority at all. The question is not, whether you will uphold the Protestant establishment, but it is, whether you will endanger its existence, by proscribing your people. I repeat, again and again, that if you repel Catholic emancipation, you trample to the ground Protestant security.

You addressed us, the framers of this bill; you said, "We will argue the point—produce us your securities in the first instance; we will then produce you our concessions." Here they are; [Mr. Grattan here extended forth the bill] here are our securities:—where are your concessions? How do you meet us? After calling on us for securities, you reject concession, and, by that rejection, refuse the best security for the church, by withholding freedom from the people. If you vote against this clause, you vote against the bill; you nullify your object, you falsify your pledge. The noble lord opposite (Castlereagh) has acted a manly part; let the noble lord share then the merit of the bill. Upon my head be the odium of the clauses: to insure the principle of concession, I shall submit to the minor infringements. The alleged unpopularity of the bill can only be temporary. Should the Catholic mind be indisposed to accept it, should their leaders inculcate hostility to its clauses, clauses so necessary to carry through its principle; why, then, I shall lament such an occurrence; I shall feel it bitterly; I shall then, indeed, admit, that the Catholics are the bitterest enemies of themselves, and that upon their own heads, and on their own heads only, can the consequences of their own folly rest. [Mr. Grattan here paused for a moment, but resumed his wonted animation].

Sir, the question is, if you reject this bill, can you dwell upon the restrictions; and, upon your own view of the subject, how do you stand? You vote for the continuation of galling and jarring restrictions upon four millions of your fellow subjects. You vote for the unlimited power of the Pope upon this proscribed population; instead of enfranchising the one, and obliterating the other. [The right honourable gentleman concluded in a strain of eloquence, of which it is impossible to convey but a faint outline.] I beseech you to

pause before you vote this night. You stand between two important opinions. The one leads to unanimity in the nation, the other to discord in the community. The one incorporates the Catholic with the Protestant, and limits, nay extinguishes, the power of the Pope. The other exasperates the feelings of the people, and saps the best securities of the empire. The one lays at your disposal a brave and generous people, to testify on the embattled plain, the allegiance and the gratitude they owe you, and places your country on an iron pedestal, never, never to be shaken. The other arms you, with what? the Pope and his visions at your back; and, with these banners, to advance against and appal the almost overwhelming enemy of Europe.

The House divided on the Speaker's amendment, Ayes 251, Noes 247; Majority against admitting the Catholics into Parliament 4.

Mr. Ponsonby said, that as the leading clause of the bill was negatived, the friends of the measure considered it as lost for the present. He would therefore move, that the chairman do leave the chair; which motion was put and carried.

The following is a copy of the bill, that was brought in by Mr. Grattan for the relief of the Roman Catholics.

Bill for the further relief of the Roman Catholics of Great Britain and Ireland.

Whereas the Protestant succession to the Crown is, by the act for the further limitation of the Crown, and the better securing the liberties of the people, established permanently and inviolably;

And whereas the Protestant episcopal church of England and Ireland, and the doctrine, discipline, and government thereof, and likewise the Protestant church of Scotland, and the doctrine, discipline, and government thereof, are established permanently and inviolably;

And whereas it may tend to promote the interest of the same, and strengthen our free constitution, of which they are an essential part, if the civil and military disqualifications, under which His Majesty's Roman Catholic subjects now labour, were removed;

And whereas, after due consideration of the petitions of the said Roman Catholics, it appears highly advisable to communicate to them the blessings of our free form of government; and with a view to put an end to all religious jealousies between His Majesty's subjects, and to bury in oblivion all animosities between Great Britain and Ireland, so that the inhabitants of the respective countries may be bound together, in all times to come, by the same privileges and the same interest, in defence of their common

liberties and government, against all the enemies of the British empire :

May it please Your Majesty, That it may be enacted, and be it enacted, by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, that, from and after the

it shall and may be lawful for persons professing the Roman Catholic religion, to sit and vote in either House of Parliament, being in all other respects duly qualified so to sit and vote, upon making, taking, and subscribing the following declaration and oath, instead of the oaths of allegiance, abjuration, and supremacy, and instead of making and subscribing the declaration against transubstantiation, and the declaration against the invocation of saints, now by law required :

“ I, A.B., do hereby declare, that I do profess the Roman Catholic religion; and I do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty King George the Third, and him will defend to the utmost of my power against all conspiracies and attempts whatever, that shall be made against his person, crown, or dignity; and I will do my utmost endeavour to disclose and make known to His Majesty, his heirs and successors, all treasons and traitorous conspiracies which may be formed against him or them, and I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession to the Crown (which succession, by an act entitled, ‘ An act for the further limitation of the Crown, and the better securing the rights and liberties of the subject,’ is, and stands limited to the Princess Sophia, Electress and Dutchess Dowager of Hanöver, and the heirs of her body being Protestants); hereby utterly renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the Crown of this realm. I do declare, that I do not believe that the Pope of Rome, or any other foreign prince, prelate, state, or potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm: I do further declare, that it is not an article of my faith, and that I do renounce, reject, and abjure the opinion, that princes excommunicated by the Pope or council, or by the Pope and council, or by any authority of the See of Rome, or by any authority whatsoever, may be deposed or murdered by their subjects, or any person whatsoever. I do swear, that I will defend, to the utmost of my power, the settlement and arrangement of property within this realm, as established by the laws. I do swear that I do abjure, condemn, and detest, as unchristian and impious, the principle, that it is lawful to destroy or any ways injure any person whatsoever, for or under the pretence of such person being an heretic. I do declare solemnly before God, that I believe that no act, in itself unjust or immoral, can ever be justified or excused, by or under the pretence or colour that it was done, either for the good of the church, or in obedience to any ecclesiastical power

whatsoever. I also declare, that it is not an article of the Roman Catholic faith, neither am I thereby required to believe or profess, that the Pope is infallible, or that I am bound to obey any order, in its own nature immoral, though the Pope or any ecclesiastical power should issue or direct such order; but, on the contrary, I hold, that it would be sinful in me, to pay any respect or obedience thereto. I further declare, that I do not believe that any sin whatsoever committed by me, can be forgiven at the will of any Pope, or of any priest, or any person or persons whatsoever; but that sincere sorrow for past sins, a firm and sincere resolution to avoid future guilt, and to atone to God, are previous and indispensable requisites to establish a well-founded expectation of forgiveness, and that any person, who received absolution without the previous requisites, so far from obtaining thereby any remission of his sins, incurs the additional guilt of violating a sacrament. I do reject and detest, as an unchristian and impious principle, that faith is not to be kept with heretics or infidels. I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present church establishment, for the purpose of substituting a Roman Catholic establishment in its stead. I do solemnly swear that I will not use any privilege, power, or influence, which I do now, or may hereafter possess, to overthrow or disturb the present church establishments of the United Kingdom; and that I never will, by any conspiracy, contrivance, or device whatsoever, abet others in any attempt to overthrow or disturb the same. And that I will make known to His Majesty, his heirs and successors, all attempts, plots, or conspiracies, whether at home or abroad, which shall come to my knowledge, for effecting either of these purposes. I do solemnly, in the presence of God, profess, testify, and declare, that I do swear this oath, and make this declaration, and every part thereof, in the plain and ordinary sense of the words, without any evasion, equivocation, or mental reservation whatever, and without any dispensation, already granted by the Pope, or any authority of the See of Rome, or any person whatever, and without thinking that I am, or can be acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or authority whatsoever, shall dispense with or annul the same, or declare that it was null and void from the beginning. — So help me God."

And be it further enacted, That it shall and may be lawful for persons professing the Roman Catholic religion to vote at elections of members to serve in Parliament, being in all other respects duly qualified so to do upon making, taking, and subscribing either in manner by this act directed, or at the time and place of tendering their votes before the returning-officer or officers presiding at such elections, who is, and are hereby authorised and required to receive and administer the same, instead of the oaths of allegiance, abjuration, and supremacy, and instead of such other oath or oaths, as are now by law required to be taken for the purpose aforesaid, by any of His Majesty's subjects professing the Roman Catholic religion, the aforesaid declaration and

oath, and also, upon taking such other oath or oaths as may now be lawfully tendered to any person or persons offering to vote at such elections.

And be it further enacted, that it shall be lawful for persons professing the Roman Catholic religion to hold, exercise, and enjoy all civil and military offices, or places of trust or profit, under His Majesty, his heirs or successors, except as herein-after excepted, upon making, taking, and subscribing the aforesaid declaration and oath, instead of the oaths and declaration against transubstantiation, and the declaration against the invocation of saints, now by law required; and upon taking also such other oath or oaths, as are now by law required to be taken by any person or persons, on his or their admission into any such office, or place of trust or profit, respectively, and without taking the sacrament of our Lord's supper, according to the usage of the church of England.

Provided always, that nothing herein contained shall extend, or be construed to extend, to enable any person, being a Roman Catholic, to hold and enjoy the office of Lord High Chancellor, Lord Keeper or Lord Commissioner of the Great Seal of Great Britain, or of Lord Lieutenant or Lord Deputy, or Chief Governor or Governors of Ireland.

And be it further enacted, that it shall and may be lawful for any person professing the Roman Catholic religion, to be a member of any Lay Body Corporate, and to hold any civil office or place of trust or profit therein, upon making, taking, and subscribing the declaration and oath aforesaid, instead of the oaths of allegiance, abjuration, or supremacy, and instead of the declaration against transubstantiation, and the declaration against the invocation of saints, now by law required; and upon taking also such other oath or oaths as may now by law be required to be taken by any person or persons becoming a member or members of such Lay Body Corporate, or being admitted to hold any office or place of trust or profit within the same; and without taking the sacrament of our Lord's supper, according to the usage of the church of England.

Provided always, that nothing in this act contained shall extend, or be construed to extend, to dispense with, repeal, or alter any of the laws now in force, for establishing the uniformity of public prayers, or administration of sacraments in the united episcopal church of England and Ireland; or to enable any person or persons, otherwise than as they are now enabled, to hold, enjoy, or exercise any office, benefice, place, or dignity, of, in, or belonging to the said united church of England and Ireland, or the church of Scotland, or any place or office whatever, of or belonging to any of the ecclesiastical courts of judicature of this realm, or of any court of appeal, from a review of the sentences of such court or courts, or of or belonging to any cathedral, or to any collegiate or ecclesiastical establishment or foundation within the same, or any office or place of, or belonging to, any of the universities of this realm, or any office or place of provost, master, head, or fel-

low, tutor, scholar, student, or exhibitioner, or by whatever other name the same may be called, of or in any of the said universities, upon the establishment or foundation of the same, or of or belonging to the colleges of Eton, Westminster, or Winchester, or any college or school of royal or ecclesiastical foundation within this realm.

Provided also, that nothing herein contained shall extend, or be construed to extend, to enable any person professing the Roman Catholic religion to exercise any right of presentation to any ecclesiastical benefice whatsoever; and that in every case in which a right of presentation is or shall be vested in a person professing the Roman Catholic religion, the same shall be and continue to be exercised in the same manner and in no other than is now by law required; save and except where such right of presentation shall belong to any office in the gift or appointment of His Majesty, his heirs and successors; in which case, if such office shall be held by a person professing the Roman Catholic religion, it shall and may be lawful for His Majesty, his heirs and successors, to appoint by commission under the great seal, such member or members of the privy council, being a Protestant or Protestants, as he or they shall think fit, to be a commissioner or commissioners, for exercising such right of presentation whilst such office shall be held by a person professing the Roman Catholic religion.

Provided also, and be it further enacted, that it shall not be lawful for any person professing the Roman Catholic religion, directly or indirectly, to advise the Crown in the appointment or disposal of any office or preferment, lay or ecclesiastical, in the united Protestant episcopal church of England and Ireland, or of the church of Scotland; and that if any such person shall presume to advise His Majesty, his heirs or successors, touching or concerning any such appointment or disposal, he shall, being thereof convicted by due course of law, be deemed guilty of and disabled from holding any office, civil or military, under the Crown.

And be it further enacted, that every person, now exercising, or who shall hereafter exercise any of the Spiritual duties or functions, usually exercised by persons in holy orders, professing the Roman Catholic religion, shall within calendar months from the passing of this act, or within after entering into holy orders, and before he shall exercise any of the spiritual duties or functions aforesaid, take, make, and subscribe the oath and declaration in this act contained, and also the oath following:

“ I, A. B., do swear, that I will never concur in, or consent to the appointment or consecration of any Roman Catholic bishop, or vicar apostolic, in the United Kingdom, but such as I shall conscientiously deem to be of unimpeachable loyalty and peaceable conduct. And I do swear, that I have not and will not have any correspondence or communication with the Pope, or See of Rome, or with any court or tribunal, established or to be established by the Pope, or See of Rome, or by the authority of the same, or with any person or persons authorised, or pretending to be au-

thorised, by the Pope or See of Rome, tending directly or indirectly to overthrow or disturb the Protestant government, or the Protestant church of Great Britain and Ireland, or the church of Scotland, as by law established; and that I will not correspond or communicate with the Pope or See of Rome, or with any tribunal established, or to be established by the Pope or See of Rome, or by the authority of the same; or with any person or persons, authorised, or pretending to be authorised by the Pope or See of Rome, on any matter or thing, not purely ecclesiastical."

And be it enacted, that every person who shall presume to exercise such duties or functions, without taking and making such oaths and declarations in manner herein prescribed and directed, being thereof convicted by the course of law, shall be deemed guilty of

And be it further enacted, that the said oath and declaration by this act appointed to be taken and made, instead of any other oath or oaths, declaration or declarations, now by law required to be made or taken by persons professing the Roman Catholic religion, shall and may be made and taken in any of His Majesty's Courts of Chancery, King's Bench, Common Pleas, or Exchequer, at Westminster or Dublin, or in any Courts of General Quarter Sessions, in Great Britain or Ireland, and shall be subscribed by the person taking and making the same, with his name at length, if such person can write, or with his mark, the name being written by the officer, where such person cannot write, such person or such officer, as the case may be, adding the title, addition, and place of abode of such person; and shall remain of record in such court; and the proper officer of such court, respectively, with whom the custody of such record shall remain, shall make, subscribe, and deliver a certificate of such oaths and declarations having been duly made, taken, and subscribed, to the person who shall have so made, taken, and subscribed the same, if the same shall be demanded immediately; for which certificate there shall be paid no greater fee or reward than and such certificate, upon proof of the certifier's hand, and that he acted as such officer as aforesaid, shall be sufficient evidence of such person's having duly made, taken, and subscribed, such declaration and oaths.

And be it further enacted, that from and after the no person born out of the United Kingdom of Great Britain and Ireland; or the dominions thereunto belonging, except such as are born of British or Irish parents, shall be capable of exercising any episcopal duties or functions within the United Kingdom, or any part thereof; and if any such person shall presume to exercise such duties or functions within the United Kingdom, or any part thereof, he being thereof convicted by due course of law, shall be deemed guilty of and shall be liable to be sent out of the kingdom: and for that purpose, it shall be lawful for any one of His Majesty's Principal Secretaries of State, or the Lord Lieutenant or Chief Governor or Chief Governors of Ireland, or his or their Chief Secretary, by warrant under his hand and seal, directed

to such person or persons as he shall think fit, to order such person so having been convicted as aforesaid, to be conducted and conveyed out of the kingdom.

And be it further enacted, that from and after the no person in holy orders, professing the Roman Catholic religion, shall be capable of exercising any episcopal duty or function within the United Kingdom, unless he shall have been resident within the same for years next preceding his first exercising such episcopal duty or function; and that if any person shall presume to exercise the same, not having been so resident, he being there- of convicted by due course of law, shall be deemed guilty of

and shall be liable to be sent out of the kingdom in manner aforesaid.

Provided always, that nothing herein contained shall extend or be construed to extend to such persons as aforesaid, who shall before the have been in the exercise of such episcopal duty or function.

The following is a copy of the clauses introduced by Mr. Canning:—

(B.) *Respecting the Commission for certifying the loyalty of persons to be appointed Bishops or Vicars apostolic.*

And whereas it is expedient, that further precaution should be taken for ascertaining, to the satisfaction of His Majesty, his heirs and successors, the loyalty of every person professing the Roman Catholic religion, who shall, at any time, be nominated, elected, or appointed to exercise or discharge any episcopal duties or functions, within the United Kingdom of Great Britain and Ireland. Be it therefore further enacted, that the

and such other person and persons, as shall from time to time be appointed by His Majesty, his heirs and successors, in manner herein-after mentioned, shall be, and the same are hereby appointed commissioners for the purposes of this present act, so far as the same respects Great Britain; and that they shall hold their offices during good behaviour, and shall be removable upon an address of either House of Parliament.

And be it further enacted, that if any person hereby appointed a commissioner as aforesaid, or who shall be hereafter appointed a commissioner for this present act, so far as the same respects Great Britain, shall depart this life, or shall decline to act in the said commission, or shall go to reside out of the United Kingdom, then, and in every such case, it shall and may be lawful for His Majesty, his heirs and successors, by warrant under the sign manual, to appoint any lay peer of England or Scotland, professing the Roman Catholic religion, or if there shall be no such

peer of full age, and within the United Kingdom, then such lay commoner of England or Scotland, professing the Roman Catholic religion, who shall be possessed of a freehold estate in land, of not less than one thousand pounds a year, in Great Britain, as His Majesty, his heirs, and successors, shall think fit, to be a commissioner in the room or stead of the commissioner so dying, or declining to act, or going to reside out of the United Kingdom.

And be it further enacted, that the commissioners hereby appointed, and every commissioner to be hereafter under this act appointed for Great Britain, shall, before they shall respectively take on themselves the execution of the powers and authorities hereby vested in them, take and subscribe the oath first herein-before prescribed to be taken, by all persons professing the Roman Catholic religion; and also the following oath:

"I, A. B. do swear that I will, without favour or affection, hatred or malice, truly and impartially, and according to the best of my skill and judgment, execute and perform the powers, authorities, and duties of a commissioner, vested in me, under and by virtue of an act made in the 53d year of the reign of His Majesty King George III. intituled, 'An act for the further relief of Roman Catholics in Great Britain and Ireland;' and that I will not, directly or indirectly, publish, disclose, or make known to any one, save as by the said act directed, any matter or thing whatsoever, which shall come to my knowledge, by reason or in consequence of my being a commissioner under the said act, excepting only such matters or things, as all persons taking the oath by the said act first prescribed to be taken, are thereby bound to disclose;"

And that the said oaths shall and may be taken in any of His Majesty's Courts of Chancery, King's Bench, Common Pleas, or Exchequer at Westminster, and shall remain of record in the said court.

And it is hereby further enacted, that the said commissioners may, from time to time, make such regulations, to be binding on themselves, for all purposes incident to the discharge of their office, as they shall think proper; and that, for effecting the purposes aforesaid, it shall be lawful for the said commissioners, or a majority of them, to appoint a secretary, to be resident in London; and that for discharging the expence of the said commission, and paying the salary of the secretary of the same, the Lords Commissioners of His Majesty's treasury shall issue out of the consolidated fund of Great Britain, the annual sum of £. 7,000 to the secretary of the said commissioners, to be applied for the purposes of the said commission, as the said commissioners shall from time to time direct; and such secretary shall, and he is hereby required, before he acts in the execution of his office, to take and subscribe before two or more of the said commissioners (who are hereby authorised and empowered to administer the same) the oath, first herein-before prescribed to be taken; and also the following oath:

"I, A. B. do hereby swear, that I will, according to the best

of my skill and knowledge, faithfully execute the office of secretary to the commission, appointed by an act of the 53d year of the reign of His present Majesty, intituled, 'An act for the further relief of Roman Catholics in Great Britain and Ireland;' and that I will not publish, disclose, or make known, to any person or persons whomsoever, save as by the said act directed, any matter or thing whatsoever which shall come to my knowledge, by reason of the said office, excepting only such matters or things as all persons taking the oath by the said act first prescribed to be taken, are thereby bound to disclose."

And it is hereby further enacted, that the said secretary shall be removable at the pleasure of the said commissioners, or the major part of them; and that on every appointment of a new secretary, the same shall be notified by the said commissioners to one of His Majesty's principal secretaries of state.

And be it further enacted, that from and after the passing of this act, every person in holy orders, professing the Roman Catholic religion, who shall at any time be nominated, elected, or appointed, according to the usages of the Roman Catholic church, to exercise or discharge any episcopal duties or functions in Great Britain, shall, before he assumes the exercise of such episcopal duties or functions, make known such his nomination, election, or appointment, by writing under his hand, to the secretary of the said commissioners, who shall immediately give information thereof to the said commissioners, and the said commissioners shall within six weeks after receiving such information, transmit the same by writing under their respective hands and seals, to one of His Majesty's principal secretaries of state; and shall, at the same time certify, in form and manner following, "We do hereby certify and declare, that we do not know or believe any thing which tends to impeach the loyalty or peaceable conduct of

," unless the said commissioners, or the major part of them, shall deem the person, of whose nomination, election, or appointment, they shall have been so informed as aforesaid, to be a person disloyal and disaffected to His Majesty, his heirs and successors, or not of a peaceable conduct; in which case they shall refuse to grant the said certificate; and any person, in whose favour they shall so refuse to certify, shall be incapable of discharging or exercising any episcopal duty or function within the United Kingdom.

And be it further enacted, that if any person in whose favour the said commissioners shall so have refused to certify in form and manner aforesaid, shall nevertheless assume the exercise of any episcopal duties or functions within the United Kingdom, such person shall be guilty of a misdemeanor, and upon conviction thereof, shall be sent out of the kingdom in manner as hereinbefore directed.

Provided always, and it is hereby further enacted, that the said commissioners so refusing to certify in favour of any such person as aforesaid, shall not, nor shall any one of them, on account of

such refusal, or by reason thereof, be subject or liable to any action for damages or other legal proceeding whatsoever.

And be it further enacted, that and such other person and persons, as shall from time to time be appointed by His Majesty, his heirs and successors, in manner herein-after mentioned, shall be, and the same persons are hereby appointed commissioners for the purposes of this present act, so far as the same respects Ireland, and that they shall hold their offices during good behaviour, and shall be removable upon an address of either House of Parliament.

And be it further enacted, that if any person hereby appointed a commissioner as aforesaid, or who shall be hereafter appointed a commissioner for this present act, so far as the same respects Ireland, shall depart this life, or shall decline to act in the said commission, or shall go to reside out of the United Kingdom, then and in every such case, it shall and may be lawful for His Majesty, his heirs, and successors, by warrant under the sign manual, to appoint any Irish lay peer, professing the Roman Catholic religion; or if there shall be no such peer of full age, and within the kingdom, then such lay commoner, professing the Roman Catholic religion, who shall be possessed of a freehold estate in land of not less than one thousand pounds a-year in Ireland, as His Majesty, his heirs and successors shall think fit to be a commissioner in the room or stead of the commissioner so dying, or declining to act, or going to reside out of the United Kingdom.

And be it further enacted, that the Irish commissioners hereby appointed, and every Irish commissioner to be hereafter under this act appointed for Great Britain, shall, before they shall respectively take on themselves the execution of any of the powers and authorities hereby vested in them, take and subscribe the oath first herein-before prescribed to be taken by all persons professing the Roman Catholic religion, and the following oath:

“I, A. B., do swear, that I will, without favour or affection, hatred or malice, truly and impartially, and according to the best of my skill and judgment, execute and perform the powers, authorities, and duties of a commissioner, vested in me, under and by virtue of an act made in the fifty-third year of the reign of His Majesty King George the Third, intituled, ‘An act for the further relief of Roman Catholics in Great Britain and Ireland;’ and that I will not, directly or indirectly, publish, disclose, or make known to any one, save as by the said act directed, any matter or things whatsoever which shall come to my knowledge by reason or in consequence of my being a commissioner, under the said act, except only such matters or things as all persons taking the oath by the said act first prescribed to be taken, are thereby bound to disclose.”

And that the said oath shall and may be taken in any of His Majesty's Courts of Chancery, King's Bench, Common Pleas, or Exchequer, in Dublin, and shall remain of record in the said court.

And it is hereby further enacted, that the said last mentioned

commissioners may, from time to time, make such regulations, to be binding on themselves for all purposes incident to the discharge of their office, as they shall think proper; and that, for effecting the purposes aforesaid, it shall be lawful for the said commissioners, or a majority of them, to appoint a secretary to be resident in Dublin; and that for discharging the expence of the said commission, and paying the salary of the secretary of the same, the Lords commissioners of His Majesty's Treasury shall issue, out of the Consolidated Fund of Great Britain, the annual sum of

to the secretary of the said commissioners, to be applied for the purposes of the said commission, as the said commissioners shall from time to time direct. And such secretary shall, and he is hereby required, before he acts in the execution of his office, to take and subscribe before two or more of the said commissioners, who are hereby authorized and empowered to administer the same, the oath first herein-before prescribed to be taken, and also the following oath:

"I, A. B., do hereby swear, that according to the best of my skill and knowledge, I will faithfully execute and exercise the office of secretary to the Irish commission, appointed by an act of the fifty-third year of the reign of His present Majesty, intituled, 'An act for the further relief of the Roman Catholics in Great Britain and Ireland;' and that I will not publish, disclose, or make known to any person or persons whomsoever, save as by the said act directed, any matter or thing whatsoever which shall come to my knowledge by reason of the said office, excepting only such matters or things as all persons taking the oath by the said act first prescribed to be taken, are thereby bound to disclose."

And it is hereby further enacted, that the said secretary shall be removable at the pleasure of the said Irish commissioners, or the major part of them, and that on every appointment of a new secretary, the same shall be notified by the said commissioners to the chief secretary of the Lord-lieutenant of Ireland.

And be it further enacted, that from and after the passing of this act, every person in holy orders, professing the Roman Catholic religion, who shall at any time be nominated, elected, or appointed, according to the usages of the Roman Catholic church, to exercise or discharge any episcopal duties or functions in Ireland, shall, before he assumes the exercise of any such episcopal duties or functions, make known such his nomination, election, or appointment, by writing under his hand, to the secretary of the said Irish commissioners, who shall immediately give information thereof to the said Irish commissioners; and the said Irish commissioners shall, within six weeks after receiving such information, transmit the same by writing, under their respective hands and seals, to the principal secretary of the Lord-lieutenant of Ireland, and shall at the same time certify in form and manner following:

"We do hereby certify and declare, that we do not know or believe any thing which tends to impeach the loyalty or peaceable conduct of _____," unless the said commissioners, or the major part of them, shall deem the person of whose nomi-

nation, election, or appointment they shall have been so informed as aforesaid, to be a person disloyal and disaffected to His Majesty, his heirs and successors, or not of a peaceable conduct; in which case, they shall refuse to grant the said certificate; and any person, in whose favour they shall so refuse to certify, shall be incapable of exercising any episcopal duty or function within the United Kingdom.

And be it further enacted, that if any person in whose favour the said Irish commissioners shall so have refused to certify, in manner and form aforesaid, shall nevertheless assume and exercise any episcopal duties or functions within the United Kingdom, such person shall be guilty of a misdemeanor, and upon conviction thereof shall be sent out of the kingdom in manner as hereinbefore directed.

Provided always, and it is hereby further enacted, that the said commissioners so refusing to certify in favour of any person as aforesaid, shall not, nor shall any one of them, on account of such refusal or by reason thereof, be subject or liable to any action of damages, or any other legal proceeding whatsoever.

(C.) Provisions respecting the obtaining of Papal Bulls and Briefs.

And whereas it is fit and reasonable that His Majesty should be satisfied that no intercourse takes place between any of his subjects and a foreign prince, which can in any degree tend to withdraw any of His Majesty's subjects from the allegiance which they owe to His Majesty's sacred person and government, or to interfere with the temporal or civil rights or duties of His Majesty's subjects.

And whereas the laws made in former times, prohibiting all intercourse between the subjects of this realm and the See of Rome, are of extreme and undistinguishing rigour and severity.

Be it therefore enacted, that the commissioners appointed, and to be appointed, at any time hereafter, under this Act, as hereinbefore specified, with the addition in the said commission in Great Britain of the Lord High Chancellor, or Lord Keeper, or First Commissioner of the Great Seal for the time being, and of one of His Majesty's principal Secretaries of State (being a Protestant), or of such one other member of His Majesty's most honourable privy council in Great Britain, being a Protestant, as His Majesty, his heirs and successors, shall think fit from time to time to appoint, and with the addition, in the said commission in Ireland, of the Lord High Chancellor, Lord Keeper, or First Commissioner of the Great Seal of Ireland for the time being, and of the chief Secretary to the Lord-lieutenant (being a Protestant), or of such one other member of the privy council of Ireland, being a Protestant, as the Lord-lieutenant may think fit from time to time to appoint; and with the further addition in the commission, in Great Britain, of such person in holy orders, professing the Roman Catholic religion, as shall exercise episcopal functions among Roman Catholics in London; and with the further addition, in the said commission in Ireland, of the titular Roman Catholic

Archbishops of Armagh and Dublin, for the time being, shall be commissioners under this act, for the purpose herein-after expressed.

And it is hereby further enacted, that the said person so exercising episcopal functions among Roman Catholics in London, and the said titular Archbishops, shall take before two or more of the commissioners, already herein-before appointed (who are hereby authorised and empowered to administer the same), the following oath :

“ I, A. B., do swear, that I will not, directly or indirectly, publish, disclose, or make known to any one, any matter or thing whatsoever, which shall come to my knowledge, by reason or in consequence of my being a commissioner, under and by virtue of an act of the 53d year of His Majesty King George III. intituled, ‘ An act for the further relief of Roman Catholics in Great Britain and Ireland,’ excepting every such matters or things, as all persons taking the oath by the said act first prescribed to be taken, are thereby bound to disclose.”

And that the said Protestant commissioners shall take in like manner, before any two of the said commissioners already herein-before appointed, who are hereby authorised and empowered to administer to the same the following oath :

“ I, A. B., do swear, that I will not, directly or indirectly, publish, disclose, or make known to any one, any matter or thing whatever, which shall come to my knowledge by reason or in consequence of my being a commissioner, under and by virtue of an act of the 53d year of His Majesty King George III. intituled, ‘ An act for the further relief of Roman Catholics in Great Britain and Ireland,’ excepting only such matters or things, as by my oath and duty of a privy councillor I am-bound to disclose.”

And it is hereby further enacted, that the secretaries respectively appointed by the commissioners first herein-before appointed, shall likewise be the secretaries of the two last-mentioned commissions respectively.

And it is hereby further enacted, that three of the commissioners of each of the said last-mentioned commissions respectively, shall form a quorum of such commissioners, and shall be competent to transact all the business of the said commission.

Provided always, that one of the Protestant members of each of the said commission shall be one of each of the said quorums, and that due notice of a meeting shall have been given by each secretary, to each and every member of each the said commissions respectively.

And it is hereby further enacted, that so often as any subject or subjects of His Majesty, his heirs or successors, shall, at any time after the passing of this act, receive any bull, rescript, or other instrument from the See of Rome, or from any foreign spiritual person or body whatsoever, under the authority of the said See, the person or persons so receiving the same, shall, if he or they be resident in Great Britain, within after his or their receiving the same, deliver or cause to be delivered to the

secretary of the said commissioners in Great Britain, to be by him, without delay, transmitted or communicated to the said commissioners, a full and perfect copy of the said instrument, signed with his name, in his own hand-writing; and if resident in Ireland, shall, within the like space of after receiving such bull, rescript, or other instrument as aforesaid, deliver or cause to be delivered, a full and perfect copy thereof, signed with his name, in his own hand-writing, to the secretary of the said commissioners in Ireland, to be by him, without delay, transmitted or communicated to the said commissioners.

Provided always, and it is hereby further enacted, that if the person or persons so receiving the said bull, rescript, or other instrument as aforesaid, shall deliver or cause to be delivered to the secretary of the said commission, within the time herein-before prescribed, a writing, under his hand, certifying the fact of his having received such bull, rescript, or other instrument as aforesaid, and shall accompany the said certificate with the following oath:

“I, A. B., do swear, that the bull, rescript, or instrument (as the case may be), which I hereby acknowledge to have received from the See of Rome, or from such or such body or person (as the case may be), under the authority of the same, does relate wholly and exclusively to spiritual concerns; and, that it does not contain, or refer to any matter or thing, which does or can, directly or indirectly, affect or interfere with the duty or allegiance which I owe to His Majesty's sacred person and government, or with the temporal, civil, or social rights, properties, or duties, of any other of His Majesty's subjects. So help me God.”

(Which oath it shall and may be lawful for the said person to take and subscribe, either before the said commissioners, or before such quorum thereof as aforesaid, who are hereby authorised to administer the same, or in any of the courts herein-before mentioned.) Then and in that case, it shall be lawful for the said commissioners, or such quorum thereof as aforesaid, to admit and receive the said certificate, accompanied with said oath, in lieu and stead of the full and perfect copy of the bull, rescript, or other instrument hereby required.

And it is further enacted, that any person or persons, who, after passing of this act, shall receive any bull, rescript, or instrument as aforesaid; and who shall duly deliver or cause to be delivered, a full and perfect copy thereof, as herein-before prescribed; or who shall deliver or cause to be delivered, such certificate of the receipt thereof, accompanied by such oath as aforesaid, and whose said certificate and oath shall be admitted and received by the said commissioners, in lieu and stead of such perfect copy as aforesaid, shall be free and exempt from all pains and penalties whatsoever, to which he or they would, upon conviction, be liable by any laws now in force, in Great Britain or Ireland respectively, against the receiving bulls, or other instruments from the See of Rome, or from any authority or pretended authority under the same. But that any person so receiving such

bull, rescript, or other instrument as aforesaid, and not so duly delivering or causing to be delivered as aforesaid, either such full and perfect copy thereof, or such certificate of the receipt thereof, accompanied by such oath as is herein-before prescribed, shall, upon conviction thereof, be deemed guilty of a high misdemeanor; and shall, in lieu of all pains and penalties whatsoever, to which he or they would be liable, by any laws now in force in Great Britain or Ireland respectively, against the receiving bulls or other instruments from the see of Rome, or from any authority or pretended authority under the said See, be liable to be sent out of the kingdom in the manner by this act prescribed.

ROMAN CATHOLICS.

MR. GRATTAN PRESENTS THE ROMAN CATHOLIC PETITION.

May 27. 1814.

ON the 24th, Mr. Grattan presented to the House a petition from the Roman Catholics of Ireland, which was received, and ordered to lie on the table. Sir John Hippisley took occasion to move for the printing of two papers relating to the Roman Catholics in India and in Canada, which was accordingly ordered. On this day, the 27th, another petition was presented by Mr. Grattan from the Roman Catholics of the city and county of Cork, on which he spoke as follows:

SIR, I have the honour to present a petition from the Roman Catholics of the city and county of Cork in favour of the Catholic claims, and I beg now, when the House is well attended, to repeat that which I said on a former day in the presence of a few members; and I say now, that I shall not bring on any discussion, nor any ulterior measure on the Catholic question at present, and my reasons are founded on present circumstances. I shall not enter into a detail of those circumstances: it is sufficient to say, that no proposition can, under these circumstances, be formed with any prospect of advantage, or with any other effect, than to throw back the question, and to throw it back at a time when nothing but precipitation can prevent its ultimate success.

I have the greatest expectation, that the claims for the emancipation of the Catholics will prevail. I see great and substantial difficulties removed. I will pursue the cause — I will pursue it with ardour, and in the way which appears to me most practicable, and at a time which appears to me most seasonable:

My opinion is, that any further proposition at the pre-

sent time would be an injury to the Catholics; and I have formed this opinion after consulting the members of this House, with whom I usually act on this subject. Speaking of their opinion, I must advert to a mis-statement in the public papers, in which I am made to allude to opinions supposed to be entertained by noble persons belonging to another place. I did not state their opinion, I did not allude to it; I stated only the opinions of the members of this House, with whom I act on this question; — they are now, I believe, present, and I beg to say, that I am supported by their opinions in declining to bring on any further discussion of the Catholic question at present. He then moved for leave to bring up the Petition.

Sir John C. Hippisley expressed his concurrence in what Mr. Grattan said. He observed in severe terms upon the conduct of the Catholic Board, a body holding permanent sittings in Dublin. He condemned their proceedings in raising money from the Catholics of Ireland, and in appealing to the Cortes of Spain for a redress of their grievances; — this he conceived to be a most unwise measure.

The petition was then ordered to lie on the table.

PRINCESS OF WALES.

June 23. 1814.

ON the 1st of March, in the preceding session, the Princess of Wales had addressed a letter to the Speaker of the House of Commons, stating that she had received from Lord Sidmouth a copy of a report made to the Prince Regent by certain of the members of the Privy Council, conveying most unjust aspersions against her; that she knew not on what evidence those individuals proceeded, or whether they were a body to whom she could appeal for redress; and she expressed a wish, that the fullest investigation might be instituted into her conduct. The proceedings before the commissioners in 1806, having become public, a motion was made in the House of Commons, by Mr. Cochrane Johnstone, for certain depositions of witnesses, and papers connected therewith. This motion was negatived without a division.

On the 15th of March, Mr. Whitbread declared his intention to move an address to the Prince, praying that he would direct the law officers of the Crown to prosecute Lady Douglas for perjury in her evidence before the commissioners of that enquiry.

However, on the 17th of March, he changed his motion, and proposed an address to the Prince, expressing the concern of the House that publications had appeared so insulting to the dignity of the royal family, and so offensive to common decency; and praying that measures should be taken to discover the persons concerned in procuring their publication.

The motion was opposed by the ministers: and Mr. Tierney moved, as an amendment, that the printer and publisher of the *Morning Herald* and *Morning Post* should attend at the bar to answer certain questions respecting these publications. This motion was negatived without a division. A petition was presented from Sir John and Lady Douglas on the subject, and several conversations arose in the House on this business; but nothing further took place that session.

On the third of June, 1814, the Speaker informed the House, that he had received the following letter from the Princess of Wales:

Connaught House, June 3d, 1814.

"The Princess of Wales desires that Mr. Speaker will inform the House of Commons, that his Royal Highness the Prince Regent has been advised to take such steps as have prohibited her from appearing at court, and to declare it to be his Royal Highness's fixed and unalterable determination, never to meet the Princess of Wales on any occasion, either public or private.

"The proceedings of the years 1806 and 1807, and of the last year, are in the recollection of the House, as well as the ample and unqualified vindication of the Princess's conduct, to which those proceedings led.

"It is impossible for the Princess of Wales to conceal from herself the intention of the advice now given to the Prince Regent, and the probability that there are ultimate objects in view, pregnant with danger to the security of the succession, and to the domestic peace of the realm.

"Under these circumstances, even if the princess's duty towards herself could suffer her to remain silent, her sense of what is due to her daughter compels her to make this communication to the House of Commons.

"The Princess of Wales encloses copies of the correspondence which has passed, and she requests Mr. Speaker to communicate them to the House."

Letter of the Princess of Wales to the Prince Regent.

"SIR,

"I am once more reluctantly compelled to address your Royal Highness, and to enclose, for your inspection, copies of a note which I have had the honour to receive from the Queen, and of the answer which I have thought it my duty to return to her Majesty. It would be in vain for me to enquire into the reasons of the alarming declaration made by Your Royal Highness, that you have taken the fixed and unalterable determination never to meet me, upon any occasion, either in public or private. Of these, Your Royal Highness is pleased to state yourself to be the only judge. You will perceive, by my answer to Her Majesty, that I have only been restrained by motives of personal consideration towards Her Majesty, from exercising my right of appearing

before Her Majesty at the public drawing-rooms, to be held in the ensuing month.

"But, Sir, lest it should be, by possibility, supposed, that the words of Your Royal Highness can convey any insinuations from which I shrink, I am bound to demand of Your Royal Highness, what circumstances can justify the proceeding you have thus thought fit to adopt?

"I owe it to myself, to my daughter, and to the nation, to which I am deeply indebted for the vindication of my honour, to remind your Royal Highness of what you know; that, after open persecution and mysterious enquiries, upon undefined charges, the malice of my enemies fell entirely upon themselves; and that I was restored by the King, with the advice of his ministers, to the full enjoyment of my rank in his court, upon my complete acquittal. Since His Majesty's lamented illness, I have demanded, in the face of Parliament and the country, to be proved guilty, or to be treated as innocent. I have been declared innocent, — I will not submit to be treated as guilty.

"Sir, your Royal Highness may possibly refuse to read this letter, but the world must know that I have written it; and they will see my real motives for foregoing, in this instance, the rights of my rank. Occasions, however, may arise (one, I trust, is far distant,) when I must appear in public, and your Royal Highness must be present also. Can your Royal Highness have contemplated the full extent of your declaration? Has your Royal Highness forgotten the approaching marriage of our daughter, and the possibility of our coronation?

"I waive my rights in a case where I am not absolutely bound to assert them, in order to relieve the Queen, as far as I can, from the painful situation in which she is placed by your Royal Highness; not from any consciousness of blame; not from any doubt of the existence of those rights, or of my own worthiness to enjoy them.

"Sir, the time you have selected for this proceeding is calculated to make it peculiarly galling. Many illustrious strangers are already arrived in England; amongst others, as I am informed, the illustrious heir of the House of Orange, who has announced himself to me as my future Son-in-law. From their society I am unjustly excluded. Others are expected, of rank equal to your own, to rejoice with your Royal Highness in the Peace of Europe. My daughter will, for the first time, appear in the splendor and publicity becoming the approaching nuptials of the presumptive heiress of this empire. This season your Royal Highness has chosen for treating me with fresh and unprovoked indignity; and of all His Majesty's subjects, I alone am prevented by your Royal Highness from appearing in my place, to partake of the general joy, and am deprived of the indulgence in those feelings of pride and affection permitted to every mother but me.

"I am, Sir,

"Your Royal Highness's faithful Wife,

"CAROLINE P."

"Connaught-House, May 26, 1814."

(INCLOSURES.)

The Queen to the Princess of Wales.

" Windsor Castle, May 23. 1814.

" The Queen considers it to be her duty to lose no time in acquainting the Princess of Wales, that she has received a communication from her Son, the Prince Regent, in which he states, that Her Majesty's intention of holding two drawing-rooms in the ensuing month having been notified to the public, he must declare that he considers that his own presence at the court cannot be dispensed with; and that he desires it may be distinctly understood, for reasons of which he alone can be the judge, to be his fixed and unalterable determination not to meet the Princess of Wales upon any occasion, either in public or private.

" The Queen is thus placed under the painful necessity of intimating to the Princess of Wales the impossibility of Her Majesty's receiving her Royal Highness at her drawing-rooms.

" CHARLOTTE R.

Answer of the Princess of Wales to the Queen.

" MADAM,

" I have received the letter which Your Majesty has done me the honor to address to me, prohibiting my appearance at the public drawing-rooms, which will be held by Your Majesty in the ensuing month, with great surprise and regret.

" I will not presume to discuss with Your Majesty, topics which must be as painful to Your Majesty as to myself.

" Your Majesty is well acquainted with the affectionate regard with which the King was so kind as to honor me, up to the period of His Majesty's indisposition, which no one of His Majesty's subjects has so much cause to lament as myself; and that His Majesty was graciously pleased to bestow upon me the most unequivocal and gratifying proof of his attachment and approbation, by his public reception of me at his court, at a season of severe and unmerited affliction, when his protection was most necessary to me. There I have since uninterruptedly paid my respects to Your Majesty. I am now without appeal or protector; but I cannot so far forget my duty to the King and to myself, as to surrender my right to appear at any public drawing-room to be held by Your Majesty.

" That I may not, however, add to the difficulty and uneasiness of Your Majesty's situation, I yield, in the present instance, to the will of his Royal Highness the Prince Regent, announced to me by Your Majesty, and shall not present myself at the drawing-rooms of the next month.

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"It would be presumptuous in me to attempt to enquire of Your Majesty the reasons of his Royal Highness the Prince Regent for this harsh proceeding; of which His Royal Highness can alone be the judge. I am unconscious of offence; and, in that reflection, I must endeavour to find consolation for all the mortifications I experience; even for this, the last, the most unexpected, and the most severe; the prohibition given to me alone, to appear before Your Majesty, to offer my congratulation upon the happy termination of those calamities with which Europe has been so long afflicted, in the presence of the illustrious personages who will, in all probability, be assembled at Your Majesty's court, with whom I am so closely connected by birth and marriage.

"I beseech Your Majesty to do me an act of justice, to which, in the present circumstances, Your Majesty is the only person competent, by acquainting those illustrious strangers with the motives of personal consideration towards Your Majesty, which alone induce me to abstain from the exercise of my right to appear before Your Majesty; and that I do now, as I have done at all times, defy the malice of my enemies to fix upon me the shadow of any one imputation which could render me unworthy of their society or regard.

"Your Majesty will, I am sure, not be displeased that I should relieve myself from a suspicion of disrespect towards Your Majesty, by making public the cause of my absence from court, at a time when the duties of my station would otherwise peculiarly demand my attendance.

"I have the honor to be, Your Majesty's most obedient daughter-in-law and servant,

"CAROLINE P."

"Connaught-House, May 24. 1814.

The Queen to the Princess of Wales.

"Windsor Castle, May 25. 1814.

"The Queen has received, this afternoon, the Princess of Wales's letter of yesterday, in reply to the communication which she was desired by the Prince Regent to make to her; and she is sensible of the disposition expressed by Her Royal Highness not to discuss with her topics which must be painful to both.

"The Queen considers it incumbent upon her to send a copy of the Princess of Wales's letter to the Prince Regent; and Her Majesty could have felt no hesitation in communicating to the illustrious Strangers who may possibly be present at her court, the circumstances which will prevent the Princess of Wales from appearing there, if Her Royal Highness had not rendered a compliance with her wish to this effect unnecessary, by intimating her intention of making public the cause of her absence.

"CHARLOTTE, R."

The Answer of the Princess of Wales to the Queen.

"The Princess of Wales has the honor to acknowledge the receipt of a note from the Queen, dated yesterday; and begs permission to return her best thanks to Her Majesty, for her gracious condescension, in the willingness expressed by Her Majesty, to have communicated to the illustrious Strangers who will, in all probability, be present at Her Majesty's court, the reasons which have induced her Royal Highness not to be present.

"Such communication, as it appears to her Royal Highness, cannot be the less necessary on account of any publicity which it may be in the power of her Royal Highness to give to her motives; and the Princess of Wales, therefore, entreats the active good offices of Her Majesty, upon an occasion wherein the Princess of Wales feels it so essential to her that she should not be misunderstood.

"Connaught-place, May 26.

CAROLINE, P."

The Queen to the Princess of Wales.

"The Queen cannot omit to acknowledge the receipt of the Princess of Wales's note of yesterday, although it does not appear to Her Majesty to require any other reply than that conveyed to her Royal Highness's preceding letter.

"CHARLOTTE, R."

In consequence of these letters, Mr. Methuen moved, that an address be presented to the Prince Regent, praying, that he would acquaint the House by whose advice his Royal Highness was induced to form the "fixed and unalterable determination, never to meet her Royal Highness the Princess of Wales, upon any occasion, either in private or public," together with the reasons submitted to the Prince, on which such advice was founded. It was objected, that the motion was informal, and that the House could not interfere in such a case, and the motion was accordingly withdrawn.

On the 23d, Mr. Methuen moved, "That the House should, on the 28th, take into consideration the correspondence communicated to the Speaker by the Princess of Wales." He entered into a statement of the financial situation of her Royal Highness; when she married, she had her allowance of 17,000*l.* a-year from the Prince, besides 5000*l.* from the Exchequer. In 1800, the Prince informed her, that he could only allow her 12,000*l.* a-year; in 1809, he undertook to pay her debts, amounting to 49,000*l.*, and to restore her original allowance of 17,000*l.*, so that she had 5000*l.* less now, than when she resided at Carlton House. Lord Castlereagh stated, that at the time of the separation, the Prince had an income of 120,000*l.*, which, by the property tax, was lessened to 108,000*l.*, of that, he devoted 40,000*l.* annually to pay his debts. He allowed the Princess 17,000*l.*, reducing thereby his income to 51,000*l.* The debts of the Princess, instead of

being 49,000*l.* were in reality 80,000*l.*, to defray which, the Prince set apart 10,000*l.* annually; reducing his income still further to 41,000*l.*, which, with 13,000*l.*, the revenue of the duchy of Cornwall, was the whole sum on which he lived. He opposed the motion, but declared that he would, on a future day, be authorized to give the consent of the Crown to such a reasonable addition to the income of the Princess as should seem to meet the sense of Parliament. The object of the motion was supported by Mr. Tierney, Mr. Whitbread, and

Mr. GRATTAN, who said that he approved of the object of the motion of the honourable gentleman, because that object was, by an exertion of the ordinary power of the House, practically to repel the calumnies thrown on her Royal Highness. This object was to be effected, not by restoring her to her dignities, but by increasing the means of maintaining her establishment. But the object of the noble lord was the same, provided it could be done in a manner respectful to the Prince Regent. It was proper that the Princess of Wales should be supported by Parliament, and amply provided for by Parliament, but not in such a manner as to give her a victory over her husband. As the noble lord had in view the same object, not perhaps as the Princess of Wales had, but as the Parliament ought to have, he was glad to accede to his suggestion, and to suffer the motion of the honourable gentleman to be withdrawn; because, if the honourable gentleman persisted in his motion, and failed, he would injure the cause he espoused; and if he succeeded, he would do no more than the ministers consented to do. The dispute was about the manner, and the manner of the honourable gentleman would fail, whilst that of the noble lord would succeed. He could not therefore but prefer the manner of the noble lord. The case was this: papers had been communicated to the Speaker, and by him to the House, containing a correspondence, which stated that the Prince Regent would not enter any company where the Princess should happen to be. What did this prove? An entire separation in mind; as what had been said by the noble lord, proved a complete separation by instrument between the Prince Regent and his wife. By Parliament, what course was to be taken, if they were to enter into the quarrel? (which certainly should never be done but in the last instance). To attempt to oblige his Royal Highness to take back his wife, would be unjustifiable; to interfere to procure her admission to the Queen's drawing rooms, was a power which it might be doubted whether or no it was within the province of the House, it being a matter not strictly political, but comparatively trivial. How, then, could the House act, but by pro-

viding for the lady ; by declaring, that as she was not admitted to share in the establishment of her husband, Parliament would give her one of her own. This he thought the best possible way of proceeding for the interest of the wife, the feelings of the husband, and the dignity of the House.

After some remarks from Mr. Ponsonby, Mr. Stuart Wortley, and Mr. Whitbread ; Mr. Methuen, in consequence of the assurance given by Lord Castlereagh, withdrew his motion.

On the 4th of July, the House went into a committee on the documents on the table, respecting the Princess. Lord Castlereagh stated, that if the committee deemed it expedient to make an addition to the allowance of the Princess, he was authorised to say, that it would receive the recommendation of the Crown. He accordingly moved, "That His Majesty be enabled to grant 50,000*l.* a year, out of the consolidated fund, for the maintenance of Her Royal Highness the Princess of Wales."

The resolution was unanimously agreed to. A copy of the resolution was sent by Lord Castlereagh to Her Royal Highness. On which, the Princess addressed a letter to the Speaker, desiring him to acquaint the House, that it was not her wish to add any addition to the burdens of the people, beyond what her situation would require ; and hoped the House would reconsider its resolution, and limit the income to 35,000*l.* a year. The resolution was accordingly amended, and agreed to. A bill was introduced to carry it into effect, which ultimately passed ; by which the sum of 35,000*l.* a year, was granted to Her Royal Highness, for the joint lives of Her Royal Highness and His Majesty.

IRISH SPIRIT INTERCOURSE.

June 24th, 1814.

BY the sixth article of union, Ireland was enabled to import her spirits into England, which, in quality, were much superior to the English or the Scotch. The strength of the English being only seven above proof, and that of the Irish being twenty-one. Several acts were, however, introduced, to suspend the importation from both countries, for limited periods of time. By the act of 1809, cap. 105. the importation of spirits between the two countries was totally suspended. By that of 1811, cap. 121. no Irish spirits were allowed to be exported into Great Britain, except such as were warehoused, and the strength ascertained by the proper officers of excise. The effect of these several statutes was, that since the passing of the act of union, the produce of the Irish distilleries was almost shut out of the

English market; and the benefit intended to be secured to Ireland, by the act of union, was frustrated. On the 1st of June, Sir George Clarke presented a petition from certain Scotch distillers, praying the continuance of the suspension of the intercourse of spirits between Great Britain and Ireland. A similar petition was presented by General Gascoigne from the distillers of Liverpool; and it was moved, "that they be referred to a committee."

The petition was opposed by Mr. Shaw, Mr. Wm. Fitzgerald, and Sir John Newport. They contended, the petition prayed to establish a permanent infringement of the act of union. By the terms of that treaty, the Irish spirits could be imported into the English market, at a price inferior to the spirits manufactured in Great Britain. That was an advantage which was secured to Ireland by the union, and of which she ought not to be deprived. The petitions were supported by Mr. W. Smith, Mr. W. Dundas, and Mr. Western.

On the 20th, the House went into a committee on the spirit intercourse bill. The Chancellor of the Exchequer said he intended to propose a temporary act, nearly the same as that of 1811. Mr. Huskisson said, that until some regulation was adopted to tax Irish spirits, as spirits were taxed in Great Britain, not according to the quantity, but the strength, the Irish manufacturer would have too great an advantage over the English. Sir J. Newport affirmed, that a suspension was a direct violation of the articles of union. It was at the request of the English distillers, the spirit warehousing act was passed; and under some pretence or other, the suspension act had been kept in force since 1806. He affirmed, that Mr. Pitt declared that the act of union was framed, in this respect, in order to give an advantage to Ireland. Mr. Ponsonby and Mr. W. Fitzgerald spoke in favour of the Irish distillers. Mr. Finlay, Mr. W. Smith, and Mr. Phillips spoke in favour of the British distillers.

On this day (24th), the Chancellor of the Exchequer moved, "that the House do go into a committee on the bill." It was opposed by Mr. Western, Mr. W. Smith, Mr. Brand, Mr. Marryat, Mr. Mellish, Mr. J. P. Grant, and Mr. Finlay. They contended that the bill gave an undue advantage to the Irish distiller. The English distiller paid a duty of 9s. 4d. a gallon, independent of the duty on malt; and if he went to the Irish market, he would have the Irish duty to pay in addition.

Mr. GRATTAN supported the bill; the operation of which would merely be, to carry the union, in this respect, more completely into effect. Parliament had no right to alter that act, every clause of which was binding on the country and on the legislature. It was similar to a covenant between two parties, one of whom was dead; and on every principle of justice and honour, the living party ought to adhere scrupulously to that engagement which the other was not in existence to defend. Parliament could not break any article of

that sacred covenant, without committing a breach of faith; and if they committed an infraction of the commercial part, they violated the whole. If they selected any particular article (that, for instance, relative to the spirits intercourse) as a subject for revision, they would establish a precedent, which they might hereafter deplore; for though the Parliament of Ireland did not exist, the people of Ireland were in being; and thousands of petitioners might then come to the bar of that House, demanding a revision of other articles, which appeared to affect their interests. The act of union constituted the marriage articles between the two countries, and none of its provisions could be broken without annulling the contract. The right honourable gentleman, the Chancellor of the Exchequer, had, on a former occasion, observed that there might be some articles in the act of union, of so ambiguous or unintelligible a nature, as to call for explanation; but he denied that the article to which the bill referred was one of that description. It was in vain to say, that the clause respecting the intercourse of spirits with Scotland, had been new modelled. Why should it be inferred, because Parliament altered the law, as it respected Scotland, that therefore they should repeal it as it respected Ireland? If the Parliament of England set up a court of equity in its own cause, and dealt out what it was pleased to denominate justice, but which was, in reality, no more than what its discretion prompted, nothing could be imagined more unfair or more impolitic, and nothing could be conceived more calculated to destroy the confidence which ought to subsist between the two countries.

It was supported by the Chancellor of the Exchequer, Mr. W. V. Fitzgerald, Mr. Shaw, Mr. Hawthorne, and Lord Castlereagh. The object of the bill, it was said, was to open the intercourse between the two countries, on terms consistent with the act of union. Lord Castlereagh confirmed the statement made respecting Mr. Pitt's opinion on the subject. At the time of the union, it was intended that the trade in Irish spirits should be free. Mr. Finlay moved an amendment, "that the House should go into the committee that day three months."

The House divided: Ayes 41, Noes 63; Majority against the amendment 22.

Tellers for the Ayes, Mr. Brand and Mr. Wm. Smith.

Noes, Mr. Robert Shaw and Sir George Hill.

The original motion was agreed to, and the bill went through the committee, and finally passed.

CORN LAWS.

February 27. 1815.

IN the preceding session of 1814, Sir Henry Parnell introduced certain propositions respecting the corn laws. The House went into a committee on the 5th of May, and the following were the resolutions.

" 1. That the exportation of corn, grain, meal, malt, and flour, from any part of the United Kingdom, should be permitted at all times, without the payment of any duty, and without receiving any bounty whatever.

" 2. That the several duties, now payable in respect of all corn, grain, meal, and flour, imported into the United Kingdom, should cease and determine; and that the several duties in the following schedule shall be paid in lieu thereof."

When imported from the province of Quebec, or the other British colonies in North America.

	Wheat.	Rye, Beans, and Peas.	Barley, Bere, or Bigg.	Oats.	Duty.	
	s.	s.	s.	s.	s.	d.
If under, per quarter	74	50	37	24	24	3
If at or above	74	50	37	24	}	2 6
But under	77	52	39	25		
If at or above	77	52	39	25		0 6
When imported from any other foreign country						
If under	84	56	42	28	24	3
If at or above	84	56	42	28	}	2 6
But under	87	58	44	29		
If at or above	87	58	44	29		0 6

Mr. Huskisson moved as an amendment, to substitute a graduated schedule, as follows.

When imported from any foreign country, except the province of Quebec, or the other British colonies or plantations in North America.

	Wheat.		Rye, Beans, and Peas.		Barley, Beer, or Bigg.		Oats.	
	Price.	Duty.	Price.	Duty.	Price.	Duty.	Price.	Duty.
If at or under, per quarter	s.	s.	s.	s.	s.	s.	s.	s.
At these prices and upwards	63 to 64	— 24	42 to 43	— 22	32 to 33	— 13	22 to 22	— 12
	86	— 1	65	— 1	44	— 1	32	— 1

As the grain advances in price one shilling, the duty to decrease in the same proportion.

When imported from the above provinces and colonies, one-half of the said respective duties.

The same duty on each boll of oatmeal imported.

One-third of the said duty payable on each cwt. of wheat, meal, or flour.

“ 3d. That all foreign corn, grain, meal, and flour, should at all times be imported and warehoused free of all duty, until taken out for home consumption ; and should at all times be exported free of all duty.”

These resolutions were debated at considerable length in the committee. On the second resolution, Mr. John Foster objected to the graduated schedule proposed by Mr. Huskisson, and submitted as an amendment, “ That the protecting duty should cease and determine when wheat arrived at 100s. ; rye, pease, and beans, at 66s. ; barley, at 50s. ; and oats, at 33s., except when imported from our American colonies. On a division, the numbers were, for Mr. John Foster’s amendment 60, against it 81 ; majority against it 21. The resolution in its original form was then agreed to. Numerous petitions were presented to Parliament, from the manufacturing districts in England, against any alteration in the corn laws. The petitions from Ireland were numerous, and were all in favour of the resolutions. On the report of the committee being brought up, the Chancellor of the Exchequer moved, that it should be taken into consideration that day three weeks ; to which Gen. Gascoigne moved to substitute the words “ six months,” instead of “ three weeks,” on which the House divided. Ayes 116, Noes 106 ; majority for the amendment 10. The bill was consequently lost. In this session, (1815,) the subject was again revived, and the House went into a committee on the corn laws ; and the reports made in the preceding sessions, also the report of the committee of the House of Lords on the corn trade, were referred to the committee ; and on the 17th, Mr. Robinson proposed the following resolutions :

“ 1. — Resolved, that any sort of foreign corn, meal, or flour, which may by law be imported into the United Kingdom, shall at all times be allowed to be brought to the United Kingdom, and to be warehoused there, without payment of any duty whatever.

“ 2. — Resolved, that such corn, meal, and flour, so warehoused, may at all times be taken out of the warehouse, and be exported, without payment of any duty whatever.

“ 3. — Resolved, that such corn, meal, or flour, so warehoused, may be taken out of the warehouse, and be entered for home consumption, in the United Kingdom, without payment of any duty whatever, whenever foreign corn, meal, or flour, of the same sort, shall by law be admissible into the United Kingdom for home consumption.

“ 4. — Resolved, that such foreign corn, meal, or flour, shall be permitted to be imported into the United Kingdom for home consumption, without payment of any duty, whenever the average

prices of the several sorts of British corn, made up and published in the manner now by law required, shall be at or above the prices hereafter specified, viz.

Wheat	-	-	-	-	-	80s. per qr.
Rye, Peas, and Beans	-	-	-	-	-	53s.
Barley, Beer, or Bigg	-	-	-	-	-	40s.
Oats	-	-	-	-	-	26s.

But that, whenever the average prices of British corn shall respectively be below the prices above stated, no foreign corn, meal, or flour, made from any of the respective sorts of foreign corn above enumerated, shall be allowed to be imported, or taken out of warehouse for home consumption; nor shall any foreign flour be at any time imported into Ireland.

“ 5. — Resolved, that the average prices of the several sorts of British corn, by which the importation of foreign corn, meal, or flour, into the United Kingdom, is to be regulated and governed, shall continue to be made up, and published in the manner now required by law; but that, if it shall hereafter at any time appear, that the average prices of British corn, in the six weeks immediately succeeding the 15th February, 15th May, 15th August, and 15th November, in each year, shall have fallen below the prices at which foreign corn, meal, or flour, are by law allowed to be imported for home consumption, no such foreign corn, meal, or flour, shall be allowed to be imported into the United Kingdom for home consumption, from any place between the rivers Eyder and Garonne, both inclusive, until a new average shall be made up and published in the London Gazette for regulating the importation into the United Kingdom for the succeeding quarter.

“ 6. — Resolved, that such corn, meal, or flour, being the produce of any British colony or plantation in North America, as may now by law be imported into the United Kingdom, may hereafter be imported for home consumption, without payment of any duty, whenever the average prices of British corn, made up and published as by law required, shall be at or above the prices hereafter specified, viz.

Wheat	-	-	-	-	-	67s. per qr.
Rye, Pease, and Beans	-	-	-	-	-	44s.
Barley, Beer, or Bigg	-	-	-	-	-	33s.
Oats	-	-	-	-	-	22s.

But that, whenever the prices of British corn, respectively, shall be below the prices above specified, corn, meal, or flour, made from any of the respective sorts of corn above enumerated, the produce of any British colony or plantation in North America shall no longer be allowed to be imported into the United Kingdom for home consumption.

“ 7. — Resolved, that such corn, meal, or flour, the produce of any British colony or plantation in North America, as may now by law be imported into the United Kingdom, shall at all times be permitted to be brought there, and warehoused, without payment of any duty whatever.

“ 8. — Resolved, that such corn, meal, or flour, so warehoused,

may at all times be taken out of the warehouse, and exported, without payment of any duty whatever.

“ 9.— Resolved, that such corn, meal or flour, so warehoused, may be taken out of warehouse, and entered for home consumption in the United Kingdom, whenever corn, meal, or flour, of the like description, imported direct from any such colony or plantation, shall be admissible for home consumption; but not otherwise.

These resolutions were opposed by Mr. Phillips, Mr. Marryat, and Sir William Curtis. They were supported by Mr. Brand, Mr. Ellison, Sir F. Flood. The resolutions were then agreed to. On the 22d, the report was taken into consideration: it was opposed by Colonel Gore Langton, who divided the committee; for the Speaker leaving the chair, 197, against it 6. The House then went into a committee; the three first resolutions were agreed to, the fourth, which fixed the price at which wheat should be imported, was opposed by Mr. Baring and Mr. Whitbread; it was supported by Mr. Ponsonby, Lord Binning, and Mr. Rose. The debate was adjourned to the next day, when the resolution was supported by Sir John Newport, Lord Jocelyn, Mr. Frankland Lewis, Lord Proby, Sir Nicholas Colthurst, Sir John Stewart, Sir Egerton Bridges, Mr. Lockhart, Lord Compton, Mr. J. C. Grant, and Mr. Huskisson; it was opposed by Mr. Protheroe, Sir William Curtis, Mr. Horner, and Mr. Baring, who moved an amendment, proposing 76s. as the price above which corn might be imported from foreign countries; this measure to be of a temporary nature: on this the House divided, and the numbers were, for Mr. Baring's amendment 65; for the original motion 109. On the next day (27th), the report of the committee was brought up, when it was opposed by Mr. Barclay, Sir R. Peel, Mr. Phillips, Mr. Marryat, Mr. Baring, and Gen. Gascoigne; it was supported by Mr. Yorke, Mr. Fitzgerald, Lord Lascelles, Mr. Courtney, Sir George Warrender, and Mr. Grattan, who spoke as follows:

Sir, the question before you, complicated, and comprehensive, and doubtful as it appears, may be, notwithstanding, reduced to three plain considerations; whether we can contend with foreigners in the trade of corn; whether we can supply, in that article, our own consumption, and whether we can at all times command a sufficient supply of that article from foreign nations? To the first question, the persons examined by the corn committee have given a flat, positive, and decisive negative. They concur to affirm, that we cannot contend with foreigners in the market of corn, and they support their assertion with evidence, which is incontestible, on the low price of labour abroad; the tithes, the taxes, the poor rates, the cesses, the high price of labour, and the various charges which attend tillage at home; but this evidence is necessary no longer, the question is decided by the fact: we

are at this moment driven out of the corn market; 800,000 quarters of foreign corn have been imported the last half-year, so that the farmer may go about his business. In the year 1814, Ireland exported near three millions of corn, the principal part of which came to Great Britain. In 1812, Ireland exported 2,900,000*l.* worth of corn, of which 2,100,000*l.* came to Great Britain. In the last half-year, ending in January, Ireland exported into Britain 300,000 quarters of corn, while the foreigner exported 800,000; so that Ireland is driven out of the market, and foreign nations have taken her place. With this information before you, the question you must try is reduced to this; shall we protect the farmer, or go out of tillage? To the last mentioned monstrous proposition, no pretence can be afforded, except gentlemen on the other side say, that if you do not abandon tillage, you must renounce manufacture; they cannot say this—they have said this. They have said this without an iota of evidence; they have said the contrary also; they have said that (a few articles excepted), you undersold the foreigner, and so saying, they have given up the cause, and the only pretence on which it rested. They have said, that the English manufacturer undersold the foreigner; and that he did not; and saying both, and proving neither, they have left you free to decide, that whatever be the fate of the manufactures, it is not 80*s.* a quarter for corn that will destroy them; the less so, because, under a higher price, the manufactures have increased, and the manufacturers have multiplied; and because the gentlemen themselves propose protecting duties of 74*s.* or 76*s.*, thereby acknowledging the policy of protection, and therefore, of an adequate protection, and imposing upon themselves the obligation of a proof, that while the less duty is safety, the higher one is destruction; death lies it seems in the difference, at 80*s.* you die, and revive at 76*s.* Having gone so far, I beg to submit, that the opponents of the measure have not produced argument sufficient to authorize you to abandon tillage, by returning to protection. I now come to the second question, namely, whether we can supply corn sufficient for our own consumption. You have done it, you did so in the last century. You did so, till the act of 1765; England alone did so. We have done so lately; the two islands have supplied their own consumption, with all their increased manufacturers, and all their increased population. In 1812, these islands imported 12,000,000*l.* worth of corn, and exported 14,000,000*l.* above 300,000*l.* more than their own consumption; the opposers of this measure, combat this fact, by an average, and say, that on their average we have not supplied our own con-

sumption; their average is fallacious; the cause of that self-supply was Ireland, and her new condition since the act of 1807; but Ireland is a growing country, and her resources are a growing quantity; instead, therefore, of forming a calculation on an average, you should count on an increase. The evidence before the committee tells you, that Ireland must increase in tillage one-third, and it stands uncontroverted. Now, I will tell you how she has grown, and read you the accounts I have taken the last fourteen years. I have divided them into two periods, seven years each. In the first seven years, commencing with 1801, Ireland exported to Great Britain, four millions three hundred thousand quarters of corn, and her growth, or increase in the course of that time was two million three hundred thousand quarters. In the same period of fourteen years, foreign nations sent to Great Britain, in the first seven years, six million four hundred thousand quarters of corn; and in the last seven years, four million two hundred thousand quarters; and there was a decrease of two million two hundred thousand quarters. Thus, Ireland has doubled her quantity; and foreign nations, in the same period, have declined one-third; and Ireland was coming into their place, as they are now coming into the place of Ireland.

On the progress of Irish husbandry, I beg leave to say a few sentences. Lord Pery was the father of Irish agriculture. In the depth and extent of his sagacious and prophetic intellect, he conceived for his country a project, which was nothing less than the creation of tillage. His plan was to bring the market of the capital to the door of every farmer in the remotest part of the island, and he did so by granting an inland bounty on the carriage of corn to Dublin. He found Ireland in the article of corn, a country of import; he put in practice his plan; she ceased to import; she began to export; she began to export much; she proceeded to export more; she became a country of great, of growing, and of permanent export. The public care of Mr. Foster, and his vigorous mind, followed Lord Pery, and, by a graduated scale of export, furthered the growth of tillage. Then came my right honourable friend (Sir John Newport), whose presence represses the ardour I feel to dwell on the imperishable honours annexed to his name and his measures. He finished the work, by his bill of unlimited export; and Ireland, who was fed by imported corn in the middle of the last century, has, in the last war, fed herself on a scale of doubled population, supplied Great Britain with above two millions worth of corn, and sent near another million to supply your expeditions, and to feed foreign nations. It is an infirmity in the argument of the

gentlemen of the other side of the question, that Ireland should have made no part of their calculation, and that, in contemplating the resources of the British empire, they should have overlooked one-third of the King's dominions. Gentlemen acknowledge the principle of self-supply; they cannot deny it; but they, in substance, retract their concession, and say, you should not make the effort. If the commodity, corn, for instance, is to be rendered dear, they do not say what they call dear, but leave us to suppose that corn must be dear, if corn is protected. Thus their argument goes against all protecting duties, still more against all prohibitions, and going equally against the whole of your policy, goes without force against any part of it. They speak of a surplus; to have what is sufficient for your consumption, you must, at times, have a surplus; and you cannot, they tell you, dispose of that surplus abroad, on account of its high price. Surplus is the effect of plenty, and plenty is the cause of cheapness, and cheapness the surplus; and the proprietor will be remunerated by quantity for what he loses in price. Besides, will you not take into consideration capital, which enables the proprietor to hold on that surplus, nor the increase of population that grows to consume it? Conceiving that the gentlemen on the other side have not given reasons sufficiently strong to induce the House to give up a great maxim of state, and to accede to the extraordinary policy of abandoning those resources which Providence has given these islands to supply their own consumption; I come to the third question, which is, whether you can at all times command a sufficient quantity of corn from foreign nations? The gentlemen on the other side of the question will show, (it is incumbent on them to do so), that you can; they will set forth what physical necessity, what moral obligation, what law obliges foreign nations to supply Great Britain with corn; they will show that they must furnish our expeditions, such as that to Portugal for instance; expeditions, perhaps, against the very nations from whom the supply is to proceed; they will show that foreign nations cannot tax, still less prohibit the export of their grain; they will show this, I hope, before they shall induce you to confide your people to their policy; but unable to show this, they are reduced to rest their case on the experiment of the last war. In the last war they say, the trial was made, and, notwithstanding all our difficulties, we found a supply from the continent. We did so, we escaped in the last war. In the last war, we made an experiment which should teach us never to rely upon foreign grain, for we found the price immense, and, but for the Russian war, should have found the

corn unattainable. With this experiment, or this experience before you, and this their only argument for the certainty of foreign supply, I hope you will think that the gentlemen have not made a case strong enough to incline you to reduce your people to a state in which they must depend on foreign nations for their food.

Having gone through the three considerations, I beg to observe, with regard to the opposers of this measure, that they found their policy on a vain philosophy; it is the error of Mr. Smith, refuted by Malthus, and adopted by them, and on this error they found the strength of the empire, and the food of the people; the maxim contended for, is, that you should get corn where you can get it cheapest. Why? Because corn is necessary; so is clothing; however, in Ireland, generally speaking, corn is not so. Yet corn, though a necessary of life, is not the only necessary, but is one of the five necessities, and therefore ultimately sways, but by no means rules, the price of labour. Smith, a great author, is mistaken, and he is the less an authority (in general I applaud and admire him), but he is the less an authority on this point, because he considers it in the abstract, and has no reference to the political part of the subject, which is the principal part, and which governs the decision; he advises to go to the cheapest market, but omits to consider whether that market be accessible. Again, the application of his rule to the present question goes against the drift of his philosophy; his drift is, that every thing should find its true level, and capital its natural application; but to do this, all nations must agree; for it is impossible that any one without general concurrence can attain it. All nations then must abate their bounties and their prohibitions; that will not be sufficient; they must abate their taxes also. To make the experiment then, you must find some other planet, for the earth will not answer your purpose. But suppose this philosophical traffic practicable, the proposition of its abettors goes, as I have said, in the teeth of its principle; the proposition goes to leave one article unprotected, and to continue on all other articles, prohibition; that is to say, to take your capital from corn, which is a natural trade, and apply it to silk, which is an artificial one.

Gentlemen have spoken of the view of the resolution; the view is to encourage the growth of corn; encouragement is plenty, and plenty is cheapness. The view of the manufacturers is cheapness, but they oppose the means of obtaining it, plenty. They advise you, the gentlemen who oppose the resolution advise you, to procure the cheapness of the article by going out of the cultivation of it; but they will find that

plenty is the only sure cause of cheapness, and the only certain plenty is the home market; when you diminish that, you diminish your supply. You, of course, raise the price of corn; you are dependant on the supply of foreigners, which supply, without the abundance of the home market, is inadequate, and therefore dear; as is also a precarious supply, which the foreigner may tax, and which the foreigner may refuse. Thus the policy of the opposers of the measure goes first to ruin the farmer, and then to starve the manufacturer. Gentlemen have said truly, their interests are indeed united, and when the farmer is beggared, the manufacturer is famished. I beg to return to that part of the subject which is comprehended in the denomination of Ireland; you know it was the policy of your ancestors to destroy the manufactures of Ireland, and it was the tendency of the union to direct her capital to gross produce. Have you then driven Ireland out of manufacture, and do you now propose to drive her out of tillage? You recollect that Ireland has, for ages, excluded the manufactures of other countries, and has given an exclusive preference to yours. Ireland desires, and desires of right, that as she prefers your manufactures, you may prefer her corn. Do you propose that Ireland should prefer the British manufacturer, and that the British manufacturer should prefer the French husbandman? You know that Ireland owes 137 millions, the principal debt of the war; that the interest is 6,500,000*l.*; that her revenue is not 5,500,000*l.*, and that her deficit to pay the interest is above a million a-year. Do you mean that she should supply that deficit by giving up her agriculture? You know that of her interest, 4,500,000*l.* is paid to you. How? By her produce. When you propose that she should desert or even diminish her husbandry, you shake your funded security. Again, you are aware, that in rent to absentees, Ireland pays not less than two millions annually, and pays it out of her produce; when you propose to diminish, when you do not propose to augment that produce, you shake your landed security. Again, in the respective traffic of the two countries, the account stands so: Ireland pays to Great Britain for commodities, at the current price, a large sum; about 4,500,000*l.* for interest; for the rents of absentees 2,000,000*l.*; altogether, about 16 million annually; the exportation of Ireland is about 17 million, of which 2,900,000*l.* is the export of corn. When you propose to diminish her produce in corn, nay, when you do not propose to increase it, you propose that she should not pay you that balance. Again, are you unapprized that the population of Ireland is not less than 6,000,000*l.* and that a great proportion of that number are

people connected with tillage; if you go out of tillage, what will you do with that population? Will you, with the opposers of this measure, consign that people to famine and to tumult, or, with the supporters of the measure, hand them over to plenty and to peace? Again, in addition to these reflections, will you consider, that the question before you is not merely a means of subsistence, but a measure of empire; England clothes Ireland, Ireland feeds England; and both live with one another, and by one another; the two nations are bound together by law; but there is something stronger than law; they are grappled together by the iron fangs of necessity, and not only legally united, but physically identified; and this is the very soul of your connection. In the relationship of these two countries, mutual want is public concord; that intercourse which makes them physically dependant on one another, makes them physically independent of their enemies, and thus forms the strength of your empire as well as its abundance.

Sir, I am for this resolution; I am for it, because it is decisive, not ambiguous; because 80s. is a preference which the farmer will understand; do not send him to your averages; for, while you perplex the farmer with your calculations, the plan is at a stand. Sir, I am for the measure, because it gives strength to your funds, credit to your landed interest, identification to the people of the respective countries, and physical independence on the foreigner. I am for it, because it is an increase of your ways and means; because it promises plenty, where, alone, it can be relied on; namely, in your home-market, and, with that plenty, cheapness, but that cheapness which is steady and pays your farmer, while it feeds your manufacturer, instead of that extravagant fluctuation which alternately ruins both; and I am for this measure, because it secures us against the policy suggested by its opponents, and reducible to three monstrous propositions; an abandonment of tillage; a relinquishment of your power to supply your own consumption; and a dependance on foreign markets for bread.

The committee divided. For bringing up the report 235, against it 38; majority 197.

Founded on these resolutions, a bill was brought in, which after much opposition was carried and passed into a law, by which the protecting duty against foreign importation of wheat was fixed at 80s. a quarter; and proportionable duties on other species of grain.

BUONAPARTE. — WAR WITH FRANCE.

LORD JOHN CAVENDISH MOVES AN AMENDMENT TO THE ADDRESS
IN ANSWER TO THE MESSAGE FROM THE PRINCE REGENT.

May 25. 1815.

A**T****T****E****R** the campaign of 1814, and the battle of Paris on the 30th of March, that city was taken possession of by the British and the allied troops. Buonaparte retired to Fontainebleau, and on the 11th of April signed his act of abdication, in which he declared that, as the allied powers decided that he was the only obstacle to the restoration of peace in Europe, he renounced for himself and his heirs, the thrones of France and of Italy. A treaty was at the same time concluded between him and the allied powers, by which the island of Elba was chosen for the place of his residence, with an annual revenue of two millions of francs, to be paid him by France; the flag and territory of Elba to be respected as a separate principality, and a body of four hundred officers and soldiers allowed to be selected by him, and retained as his guard. The observation of the island was entrusted to the care of the British, and being negligently watched, Napoleon was enabled to communicate with his partizans in France and Italy; and on the 25th of February, 1815, he left the island with a thousand men, and landed on the 1st of March, at Cannes, in the south of France. He passed without opposition through Grenoble to Lyons, the armies of Louis XVIII. deserting to him, and on the 20th of March, he arrived at Paris, having in twenty days effected a march of two hundred and forty French leagues. The King of France retired to Ghent. Buonaparte organized his armies; and, by the 1st of June, had on foot an effective force of 550,000 men. In the meantime, the allies (Great Britain, Russia, Prussia, and Austria) issued a declaration on the 13th of March, proscribing Buonaparte; and on the 25th concluded a treaty, whereby each of them engaged to keep on foot an army of 150,000 men, and not to lay down their arms until Buonaparte would be disabled from renewing his attempts to obtain the chief power in France.

On the 28th of April, Mr. Whitbread moved an address to His Royal Highness, to adopt measures to prevent a war with France. The motion was negatived by a large majority. In the meantime, Buonaparte made overtures of a friendly nature to the British court, which were rejected; and on the 22d of May, Lord Castlereagh announced to the House a message from the Prince Regent, as follows:

“GEORGE, P. R.

“The Prince Regent, acting in the name and on the behalf of His Majesty, thinks it right to inform the House of Commons, that in consequence of the events which have occurred in France,

in direct contravention of the treaties concluded at Paris in the course of last year, His Royal Highness has judged it necessary to enter into engagements with His Majesty's allies, for the purpose of forming such a concert as present circumstances indispensably require, and as may prevent the revival of a system, which experience has proved to be incompatible with the peace and independence of the nations of Europe.

"The Prince Regent has directed copies of the treaties which have been concluded to be laid before the House of Commons, and he confidently relies on the support of the House in all measures which it may be necessary for him to adopt, in conjunction with His Majesty's allies, against the common enemy, at this important crisis."

On the 25th, the message was taken into consideration; and Lord Castlereagh moved, "That an humble address be presented to His Royal Highness, to return His Royal Highness the thanks of this House for His most gracious message, by which His Royal Highness has been pleased to inform us that, in consequence of the events which have occurred in France, in direct contravention of the treaties concluded at Paris in the course of last year, His Royal Highness had judged it necessary to enter into engagements with His Majesty's allies, for the purpose of forming such concert as present circumstances indispensably require, and as may prevent the revival of a system which experience has proved to be incompatible with the peace and independence of the other nations of Europe. To make our acknowledgments to His Royal Highness for having directed copies of the treaties which have been concluded, to be laid before us, and to assure His Royal Highness that he may confidently rely on the ardent support of this House in all measures which it may be necessary for His Royal Highness to adopt, in conjunction with His Majesty's allies, against the common enemy, at this important crisis."

To this address, Lord George Cavendish moved, by way of amendment, to insert after the words, "Royal Highness," the following words, "To express to His Royal Highness, our firm determination to concur in all such measures as may be necessary to enable His Royal Highness to maintain the honour of His Majesty's crown, to provide for the safety and independence of his dominions, and to preserve an intimate concert with the powers of Europe, for the protection of their just rights against all unjust aggression."

"To assure His Royal Highness, that it is at all times our anxious desire to be able to approve and support any treaties into which His Royal Highness may have entered; but that, uninformed as we are, both as to the principles and extent of the stipulations determined upon and signed at the congress at Vienna, we humbly submit to His Royal Highness, that we should not be justified in declaring our approbation of any engagement by which those stipulations are recognized and maintained."

"Further, to represent to His Royal Highness, that to commence a war against France for the avowed object of excluding

an individual from the government of that country, appears to us, under the present circumstances, to be unwise; and, that we cannot, consistently with our duty, approve an engagement, by which His Royal Highness stipulates not to lay down his arms until that purpose be accomplished. — A war so undertaken, leaving us no alternative for the re-establishment of peace, but the certain destruction of the government so proscribed, or the disgrace after such an attempt, of submitting to treat with and acknowledge it."

Mr. John Smith seconded the amendment.

Mr. GRATTAN spoke as follows: — Sir, I sincerely sympathize with the honourable gentleman who spoke last, in his anxiety on this important question; and my solicitude is increased by a knowledge, that I differ in opinion from my oldest political friends. I have further to contend against the additional weight given to the arguments of the noble lord who moved the amendment, by the purity of his mind, the soundness of his judgment, and the elevation of his rank. I agree with my honourable friends, in thinking that we ought not to impose a government upon France. I agree with them in deprecating the evil of war; but I deprecate still more the double evil of a peace without securities, and a war without allies. Sir, I wish it was a question between peace and war; but unfortunately for the country, very painfully to us, and most injuriously to all ranks of men, peace is not in our option; and the real question is, whether we shall go to war when our allies are assembled, or fight the battle when those allies shall be dissipated?

Sir, the French government is war; it is a stratocracy, elective, aggressive, and predatory; her armies live to fight, and fight to live; their constitution is essentially war, and the object of that war, the conquest of Europe. What such a person as Buonaparte at the head of such a constitution will do, you may judge by what he has done; and, first, he took possession of the greater part of Europe; he made his son King of Rome; he made his son-in-law Viceroy of Italy; he made his brother King of Holland; he made his brother-in-law King of Naples; he imprisoned the King of Spain; he banished the Regent of Portugal, and formed his plan to take possession of the Crown of England; England had checked his designs; her trident had stirred up his empire from its foundation; he complained of her tyranny at sea; but it was her power at sea which arrested his tyranny at land; the navy of England saved Europe. Knowing this, he knew the conquest of England became necessary for the accomplishment of the conquest of Europe, and the destruction of her marine necessary for the conquest of England. Accordingly, besides raising an army of 60,000 men for the invasion of England,

he applied himself to the destruction of her commerce, the foundation of her naval power: In pursuit of this object, and on his plan of a western empire, he conceived, and in part executed the design of consigning to plunder and destruction the vast regions of Russia; he quits the genial clime of the temperate zone; he bursts through the narrow limits of an immense empire; he abandons comfort and security, and he hurries to the pole, to hazard them all, and with them the companions of his victories, and the fame and fruits of his crimes and his talents, on a speculation of leaving in Europe, throughout the whole of its extent, no one free or independent nation: to oppose this huge conception of mischief and despotism, the great potentate of the north, from his gloomy recesses advances to defend, against the voracity of ambition, the sterility of his empire. Ambition is omnivorous, it feasts on famine and sheds tons of blood, that it may starve in ice, in order to commit a robbery on desolation. The power of the north, I say, joins another prince, whom Buonaparte had deprived of almost the whole of his authority, the King of Prussia; and then another potentate, whom Buonaparte had deprived of a principal part of his dominions, the Emperor of Austria. These three powers, physical causes, final justice, the influence of your victories in Spain and Portugal, and the spirit given to Europe by the achievements and renown of your great commander *, together with the precipitation of his own ambition, combine to accomplish his destruction. Buonaparte is conquered; he who said, "I will be like the Most High;" he who smote the nations with a continual stroke; this short-lived son of the morning, Lucifer, falls, and the earth is at rest; the phantom of royalty passes on to nothing, and the three kings to the gates of Paris; there they stand the late victims of his ambition, and now the disposers of his destiny, and the masters of his empire; without provocation he had gone to their countries with fire and sword; with the greatest provocation they come to his country with life and liberty; they do an act unparalleled in the annals of history, such as nor envy, nor time, nor malice, nor prejudice, nor ingratitude can efface; they give to his subjects liberty, and to himself life and royalty. This is greater than conquest! The present race must confess their virtues, and ages to come must crown their monuments, and place them above heroes and kings in glory everlasting.

When Buonaparte states the conditions of the treaty of Fontainebleau are not performed, he forgets one of

* The Duke of Wellington.

them, namely, the condition by which he lives. It is very true there was a mixture of policy and prudence in this measure; but it was a great act of magnanimity notwithstanding, and it is not in Providence to turn such an act to your disadvantage. With respect to the other act, the mercy shown to his people, I have underrated it; the allies did not give liberty to France, they enabled her to give a constitution to herself, a better constitution than that which, with much laboriousness and circumspection, and deliberation, and procrastination, the philosopher fabricated, when the jacobins trampled down the flimsy work, murdered the vain philosophers, drove out the crazy reformers, and remained masters of the field in the triumph of superior anarchy and confusion; better than that, I say, which the jacobin destroyed, better than that which he afterwards formed, with some method in his madness, and more madness in his method; with such a horror of power, that in his plan of a constitution, he left out a government, and with so many wheels, that every thing was in movement, and nothing in concert, so that the machine took fire from its own velocity; in the midst of death and mirth, with images emblematic of the public disorder, goddesses of reason turned fool, and of liberty turned fury: at length the French found their advantages in adopting the sober and unaffected security of King, Lords, and Commons, on the idea of that form of government which your ancestors procured by their firmness, and maintained by their discretion. The people had attempted to give the French liberty, and failed; the wise men (so her philosophers called themselves) had attempted to give liberty to France, and had failed; it remained for the extraordinary destiny of the French, to receive their free constitution from kings. This constitution Buonaparte has destroyed, together with the treaty of Fontainebleau, and having broken both, desires your confidence; Russia confided, and was deceived; Austria confided, and was deceived. Have we forgotten the treaty of Luneville, and his abominable conduct to the Swiss? Spain and other nations of Europe confided, and all were deceived. During the whole of this time, he was charging on England the continuation of the war, while he was, with uniform and universal perfidy, breaking his own treaties of peace, for the purpose of renewing the war, to end it in what was worse than war itself, — his conquest of Europe.

But now he repents and will be faithful! he says so, but he says the contrary also: "I protest against the validity of the treaty of Fontainebleau; it was not done with the consent of the people; I protest against every thing done in my absence; see my speech to the army and people; see the speech of my

council to me." The treaty of Paris was done in his absence; by that treaty were returned the French colonies and prisoners; thus he takes life and empire from the treaty of Fontainebleau, with an original design to set it aside, and he takes prisoners and colonies from the treaty of Paris, which he afterwards sets aside also; and musters an army by a singular fatality, in a great measure composed of troops who owe their enlargement, and of a chief who owes his life to the powers he fights by the resources of France, who owes to those powers her salvation; he gives a reason for this, "Nothing is good which was done without the consent of the people," (having been deposed by that people, and elected by the army in their defiance): with such sentiments, which go not so much against this or that particular treaty as against the principles of affiance, the question is, whether with a view to the security of Europe, you will take the faith of Napoleon, or the army of the allies?

Gentlemen maintain, that we are not equal to the contest; that is to say, confederated Europe cannot fight France single-handed; if that be your opinion you are conquered this moment; you are conquered in spirit: but that is not your opinion, nor was it the opinion of your ancestors; they thought and I hope transmitted the sentiment as your birth-right, that the armies of these islands could always fight, and fight with success their own numbers; see now the numbers you are to command; by this treaty you are to have in the field what may be reckoned not less than 600,000 men; besides that stipulated army you have at command, what may be reckoned as much more, I say you and the allies. The Emperor of Austria alone has an army of 500,000 men, of which 120,000 were sent to Italy to oppose Murat, who is now beaten; Austria is not then occupied by Murat; Prussia is not occupied by the Saxon, nor Russia by the Pole, at least not so occupied that they have not ample and redundant forces for this war; you have a general never surpassed, and allies in heart and confidence. See now Buonaparte's muster; he has lost his external dominions, and is reduced from a population of 100,000,000, to a population of 25,000,000; besides, he has lost the power of fascination; for though he may be called the subverter of kings, he has not proved to be the redresser of grievances. Switzerland has not forgotten; all Europe remembers the nature of his reformation, and that the best reform he introduced was worse than the worst government he subverted; as little can Spain or Prussia forget what was worse even than his reformations, the march of his armies. It was not an army, it was a military government in march, like

the Roman legions in Rome's worst time, Italica or Rapax, responsible to nothing, nor God, nor man; thus he has administered a cure to his partizans for any enthusiasm that might have been annexed to his name, and is now reduced to his resources at home; it is at home that he must feed his armies and find his strength, and at home he wants artillery, he wants cavalry; he has no money, he has no credit, he has no title; with respect to his actual numbers they are not ascertained, but it may be collected that they bear no proportion to those of the allies.

But gentlemen presume that the French nation will rise in his favour as soon as we enter their country; we entered their country before and they did not rise in his favour; on the contrary they deposed him; the article of deposition is given at length; it is said we endeavour to impose a government on France; the French armies elect a conqueror for Europe, and our resistance to this conqueror is called imposing a government on France; if we put down this chief we relieve France as well as Europe from a foreign yoke, and this deliverance is called the imposition of a government on France. He, — He! imposed a government on France; he imposed a foreign yoke on France; he took from the French their property by contribution; he took their children by conscription; he lost her, her empire, and, a thing almost unimaginable, he brought the enemy to the gates of Paris; we, on the contrary, formed a project, as appears from a paper of 1805, which preserved the integrity of the French empire; the allies, in 1814, not only preserved the integrity of the empire as it stood in 1792, but gave her her liberty, and they now afford her the only chance of redemption. Against these allies, will France now combine, and having received from them her empire as it stood before the war, with additions in consequence of their deposition of Buonaparte; and having gotten back her capital, her colonies, and her prisoners, will she break the treaty to which she owes them; rise up against the allies who gave them; break her oath of allegiance; destroy the constitution she has formed; depose the King she has chosen; rise up against her own deliverance, in support of contribution and conscription, to perpetuate her political damnation under the yoke of a stranger?

Gentlemen say, France has elected him; they have no grounds for so saying; he had been repulsed at Antibes, and he lost thirty men, he landed near Cannes the 1st of March, with 1100. With this force he proceeded to Grasse, Digne, Gap, and on the 7th he entered Grenoble; he there got from the desertion of regiments above 3000 men, and a park of artillery; with this additional force he proceeded to Lyons;

he left Lyons with about 7000 strong, and entered Paris on the 20th, with all the troops of the line that had been sent to oppose him; the following day he reviewed his troops, and nothing could equal the shouts of the army, except the silence of the people; this was in the strictest sense of the word, a military election. It was an act where the army deposed the civil government; it was the march of a military chief over a conquered people. The nation did not rise to resist Buonaparte or defend Louis, because the nation could not rise upon the army; her mind as well as her constitution was conquered; in fact, there was no nation; every thing was army, and every thing was conquest. France had passed through all the degrees of political probation, revolution, counter-revolution, wild democracy, intense despotism, outrageous anarchy, philosophy, vanity, and madness; and now she lay exhausted, for horse, foot, and dragoons, to exercise her power, to appoint her a master, captain or cornet who should put the brand of his name upon her government, calling it his dynasty, and under this stamp of dishonour pass her on to futurity.

Buonaparte, it seems, is to reconcile every thing by the gift of a free constitution. He took possession of Holland, he did not give her a free constitution; he took possession of Spain, he did not give her a free constitution; he took possession of Switzerland, whose independence he had guaranteed, he did not give her a free constitution; he took possession of Italy, he did not give her a free constitution; he took possession of France, he did not give her a free constitution; on the contrary, he destroyed the directorial constitution, he destroyed the consular constitution, and he destroyed the late constitution, formed on the plan of England! But now he is, with the assistance of the Jacobin, to give her liberty; that is, the man who can bear no freedom, unites to form a constitution with a body who can bear no government. In the mean time, while he professes liberty, he exercises despotic power, he annihilates the nobles, he banishes the deputies of the people, and he sequesters the property of the emigrants. "Now he is to give liberty!" I have seen his constitution, as exhibited in the newspaper; there are faults innumerable in the frame of it, and more in the manner of accepting it: it is to be passed by subscription without discussion, the troops are to send deputies, and the army is to preside. There is some cunning, however, in making the subscribers to the constitution renounce the House of Bourbon; they are to give their word for the deposition of the King, and take Napoleon's word for their own liberty; the offer imports nothing which can be relied on, except that he is afraid of

the allies. Disperse the alliance, and farewell to the liberty of France, and the safety of Europe.

Under this head of ability to combat Buonaparte, I think we should not despair.

With respect to the justice of the cause, we must observe, Buonaparte has broken the treaty of Fontainebleau; he confesses it; he declares he never considered himself as bound by it. If, then, that treaty is out of the way, he is as he was before it — at war. As Emperor of the French, he has broken the treaty of Paris; that treaty was founded on his abdication; when he proposes to observe the treaty of Paris, he proposes what he cannot do, unless he abdicates.

The proposition that we should not interfere with the government of other nations is true, but true with qualifications; if the government of any other country contains an insurrectionary principle as France did, when she offered to aid the insurrections of her neighbours, your interference is warranted; if the government of another country contains the principle of universal empire, as France did, and promulgated, your interference is justifiable. Gentlemen may call this internal government, but I call this conspiracy; if the government of another country maintains a predatory army, such as Buonaparte's, with a view to hostility and conquest, your interference is just. He may call this internal government, but I call this a preparation for war. No doubt he will accompany this with offers of peace, but such offers of peace are nothing more than one of the arts of war, attended, most assuredly, by charging on you the odium of a long and protracted contest, and with much common place, and many good saws and sayings, of the miseries of bloodshed, and the savings and good husbandry of peace, and the comforts of a quiet life; but if you listen to this, you will be much deceived; not only deceived, but you will be beaten. Again, if the government of another country covers more ground in Europe, and destroys the balance of power, so as to threaten the independence of other nations, this is a cause of your interference. Such was the principle upon which we acted in the best times; such was the principle of the grand alliance; such the triple alliance; and such the quadruple; and by such principles has Europe not only been regulated but protected. If a foreign government does any of those acts I have mentioned, we have a cause of war; but if a foreign power does all of them; forms a conspiracy for universal empire; keeps up an army for that purpose; employs that army to overturn the balance of power; and attempts the conquest of Europe, attempts do I say, in a great degree achieves it, (for what else was Buonaparte's

dominion before the battle of Leipsic?) and then receives an overthrow; owes its deliverance to treaties which give that power its life, and these countries their security, (for what did you get from France but security?) If this power, I say, avails itself of the conditions in the treaties, which give it colonies, prisoners, and deliverance, and breaks those conditions which give you security, and resumes the same situation, which renders this power capable of repeating the same atrocity; has England, or has she not, a right of war?

Having considered the two questions, that of ability, and that of right, and having shown that you are justified on either consideration to go to war, let me now suppose, that you treat for peace; first, you will have a peace upon a war establishment, and then a war without your present allies. It is not certain that you will have any of them, but it is certain that you will not have the same combination while Buonaparte increases his power by confirmation of his title, and by further preparation; so that you will have a bad peace and a bad war. Were I disposed to treat for peace, I would not agree to the amendment, because it disperses your allies, and strengthens your enemy, and says to both, we will quit our alliance, to confirm Napoleon on the throne of France, that he may hereafter more advantageously fight us, as he did before, for the throne of England.

Gentlemen set forth the pretensions of Buonaparte; gentlemen say, that he has given liberty to the press; he has given liberty to publication, to be afterwards tried and punished according to the present constitution of France, as a military chief pleases; that is to say, he has given liberty to the French to hang themselves. Gentlemen say, he has in his dominions abolished the slave trade; I am unwilling to deny him praise for such an act; but if we praise him for giving liberty to the African, let us not assist him in imposing slavery on the European. Gentlemen say, will you make war upon character? but the question is, will you trust a government without one? What will you do if you are conquered, say gentlemen? I answer, the very thing you must do, if you treat; abandon the Low Countries. But the question is, in which case are you most likely to be conquered, with allies or without them? Either you must abandon the Low Countries, or you must preserve them by arms, for Buonaparte will not be withheld by treaty. If you abandon them, you will lose your situation on the globe, and instead of being a medium of communication and commerce between the new world and the old, you will become an anxious station between two fires; the continent of America, rendered hostile by the intrigues of France, and

the continent of Europe possessed by her arms. It then remains for you to determine, if you do not abandon the Low Countries, in what way you mean to defend them, alone or with allies.

Gentlemen complain of the allies, and say, they have partitioned such a country, and transferred such a country, and seized on such a country. What ! will they quarrel with their ally, who has possessed himself of a part of Saxony, and shake hands with Buonaparte, who proposed to take possession of England ? If a prince takes Venice, we are indignant ; but if he seizes on a great part of Europe, stands covered with the blood of millions, and the spoils of half mankind, our indignation ceases ; vice becomes gigantic, conquers the understanding, and mankind begin by wonder, and conclude by worship. The character of Buonaparte is admirably calculated for this effect ; he invests himself with much theatrical grandeur ; he is a great actor in the tragedy of his own government ; the fire of his genius precipitates on universal empire, certain to destroy his neighbours or himself ; better formed to acquire empire than to keep it, he is a hero and a calamity, formed to punish France, and to perplex Europe.

The authority of Mr. Fox has been alluded to ; a great authority, and a great man ; his name excites tenderness and wonder ; to do justice to that immortal person you must not limit your view to this country ; his genius was not confined to England, it acted three hundred miles off in breaking the chains of Ireland ; it was seen three thousand miles off in communicating freedom to the Americans : it was visible, I know not how far off, in ameliorating the condition of the Indian ; it was discernible on the coast of Africa, in accomplishing the abolition of the slave trade. You are to measure the magnitude of his mind by parallels of latitude. His heart was as soft as that of a woman ; his intellect was adamant ; his weaknesses were virtues ; they protected him against the hard habit of a politician, and assisted nature to make him amiable and interesting. The question discussed by Mr. Fox in 1792, was, whether you would treat with a revolutionary government ? The present is, whether you will confirm a military and a hostile one ? You will observe, that when Mr. Fox was willing to treat, the French, it was understood, were ready to evacuate the Low Countries. If you confirm the present government, you must expect to lose them. Mr. Fox objected to the idea of driving France upon her resources, lest you should make her a military government. The question now is, whether you will make that military government perpetual ? I therefore do not think the theory of Mr. Fox can

be quoted against us; and the practice of Mr. Fox tends to establish our proposition, for he treated with Buonaparte and failed. Mr. Fox was tenacious of England, and would never yield an iota of her superiority; but the failure of the attempt to treat was to be found, not in Mr. Fox, but in Buonaparte.

On the French subject, speaking of authority, we cannot forget Mr. Burke. Mr. Burke, the prodigy of nature and acquisition. He read every thing, he saw every thing, he foresaw every thing. His knowledge of history amounted to a power of foretelling; and when he perceived the wild work that was doing in France, that great political physician, intelligent of symptoms, distinguished between the access of fever and the force of health; and what other men conceived to be the vigour of her constitution, he knew to be no more than the paroxysm of her madness, and then, prophet-like, he pronounced the destinies of France, and, in his prophetic fury, admonished nations.

Gentlemen speak of the Bourbon family. I have already said, we should not force the Bourbon upon France; but we owe it to departed (I would rather say to interrupted) greatness, to observe, that the house of Bourbon was not tyrannical; under her, every thing, except the administration of the country, was open to animadversion; every subject was open to discussion, philosophical, ecclesiastical, and political, so that learning, and arts, and sciences, made progress. Even England consented to borrow not a little from the temperate meridian of that government. Her court stood controlled by opinion, limited by principles of honour, and softened by the influence of manners: and, on the whole, there was an amenity in the condition of France, which rendered the French an amiable, an enlightened, a gallant and accomplished race. Over this gallant race you see imposed an oriental despotism. Their present court (Buonaparte's court) has gotten the idiom of the East as well as her constitution; a fantastic and barbaric expression; an unreality, which leaves in the shade the modesty of truth, and states nothing as it is, and every thing as it is not. The attitude is affected, the taste is corrupted, and the intellect perverted. Do you wish to confirm this military tyranny in the heart of Europe? A tyranny founded on the triumph of the army over the principles of civil government, tending to universalize throughout Europe the domination of the sword, and to reduce to paper and parchment, Magna Charta, and all our civil constitutions. An experiment such as no country ever made, and no good country would ever permit; to relax the moral and religious influences; to set heaven and earth adrift from one another;

and make God Almighty a tolerated alien in his own creation; an insurrectionary hope to every bad man in the community, and a frightful lesson of profit and power, vested in those who have pandered their allegiance from King to Emperor, and now found their pretensions to domination on the merit of breaking their oaths, and deposing their sovereign. Should you do any thing so monstrous as to leave your allies in order to confirm such a system; should you forget your name, forget your ancestors, and the inheritance they have left you of morality and renown; should you astonish Europe, by quitting your allies to render immortal such a composition, would not the nations exclaim, "You have very providently watched over our interests, and very generously have you contributed to our service, and do you falter now?" "In vain have you stopped in your own person the flying fortunes of Europe; in vain have you taken the eagle of Napoleon, and snatched *invincibility* from his standard, if now, when confederated Europe is ready to march, you take the lead in the desertion, and preach the penitence of Buonaparte and the poverty of England."

As to her poverty, you must not consider the money you spend in your defence, but the fortune you would lose if you were not defended; and further, you must recollect you will pay less to an immediate war, than to a peace with a war establishment, and a war to follow it. Recollect further, that whatever be your resources, they must outlast those of all your enemies; and further, that your empire cannot be saved by a calculation. Besides, your wealth is only a part of your situation. The name you have established, the deeds you have achieved, and the part you have sustained, preclude you from a second place among nations; and when you cease to be the first, you are nothing.

The motion was opposed by Sir Francis Burdett, Mr. Tierney, Lord Milton, and Mr. George Ponsonby. They conceived it to be an unwise measure for Great Britain to go to war for the purpose of getting rid of one man. The real object of the war might, perhaps, be to restore the Bourbons; and if the treaties bound the allies not to lay down their arms, until this object was accomplished, the country might be involved in a very expensive and protracted warfare. The treaty concluded at Vienna on the 13th of March, which placed Buonaparte out of the pale of nations, was much censured. Mr. Watkins Wynne, Mr. Plunkett, and Mr. Law supported the amendment. The House divided on Lord John Cavendish's amendment, Ayes 331, Noes 92; Majority 239.

Tellers for the Ayes, Lord Binning and Mr. Robert Ward.

Noes, Mr. John Smith and Lord Geo. Cavendish.

ROMAN CATHOLICS.

SIR HENRY PARNELL MOVES FOR A COMMITTEE TO ENQUIRE INTO
 "THE LAWS THAT AFFECT HIS MAJESTY'S ROMAN CATHOLIC
 SUBJECTS.

May 30. 1815.

IN consequence of a difference of opinion between Mr. Grattan and some of the Roman Catholics, respecting the mode of managing the Catholic question, the petition was entrusted to Sir Henry Parnell, and, on the 11th of May, was presented to the House; when he produced certain resolutions which he proposed as the ground of the relief-bill. On this day he brought forward his promised motion; and after having set forth their claims, and the disabilities to which they are subject, he concluded by moving, "That this House will resolve itself into a committee of the whole House, to take into its consideration the state of the laws affecting His Majesty's Roman Catholic subjects."

Sir John Cox Hoppisley, who had formerly supported the measure, declared, that when he found these petitions praying for unqualified emancipation, and when he knew that some of the most respectable Catholics were not averse to limitations regarding the appointment of their bishops, he could not agree to support the motion. Lord Castlereagh was of opinion, that the way in which the question was introduced, was not likely to advance the measure. The Catholics ought not to suffer themselves to be led by men who took such pains to inflame their passions; and now that it was taken out of the hands of that champion*, who had supported it under all its difficulties, there could be no doubt that it was intended as a contrast to the course pursued in 1813. He was desirous, however, of going into a committee; but he thought, that if the Catholics did not adopt a system of conciliation, their cause would retrograde. The measure was opposed by Mr. Peel, Mr. Bankes, Mr. B. Bathurst, Mr. Knox, Mr. Charles Yorke, and Mr. Serjeant Best.

It was supported by Mr. Whitbread, Sir N. Colthurst, Mr. Wm. Elliot, Mr. Vesey Fitzgerald, Mr. W. W. Pole, Lord Binning, the Knight of Kerry (Mr. M. Fitzgerald), and Sir John Newport. Mr. Ponsonby observed, if a consideration of the conduct of the Catholics were to bias my vote upon this occasion, when I consider the course which they have pursued towards my right honourable and highly respected friend (Mr. Grattan), it would place me in the list of their enemies. To him they owed more than to any other man alive, and yet how did they pay their debt of gratitude? I am persuaded, however, whatever may have been the motives by which they were actuated, or however ill-counselled they may have been, that the feelings of his great mind have not been altered, and that their conduct has made as little impression upon him as it has upon me.

* Mr. Grattan.

Mr. GRATTAN then rose amidst loud cheers, and said, "Sir, it is not my intention to trespass, at any length, on the patience of the House. I shall confine myself to a few sentences, as I do not wish to give a silent vote, circumstanced particularly as I am now. I shall vote for the committee on the same principle upon which I have often voted before; but I do not pledge myself to the resolutions which my honourable friend has exhibited. I will go farther, and say, that for some of the resolutions I could not vote. In considering the Catholic question, it is not sufficient to dwell on what is strictly necessary and just: we should also have regard to the feelings of men, and the reflection of what is possible and practicable. I condemn those applications for unqualified concession. I am sorry that in doing so I have offended some gentlemen; but my conviction is, that such a proposition cannot pass. When they desire emancipation without conditions, they ask two things — first, that they should obtain their object; and secondly, that they should not obtain it; for they put their demand in a shape which must insure its rejection. If I had flattered the Catholics, and told them, "You have a right to make this demand; urge it, and you will succeed," I should have deceived the Catholics. I have supported their question *with a desperate fidelity*. I do not mean by desperate, that my zeal would lead me to any unworthy or unconstitutional compromise, but that it has always sustained me, even where there was no hope of success. Unless the Catholics come to the House in a spirit of conciliation, I say they will not succeed. I told them so before. I will go farther, and say, that conciliation is not only necessary to their interests, but essential to their duty, to the duty which they owe to the state, and the duty which they owe one another. If they do not succeed, it will not be owing to any illiberality in the Protestants, but to a want of moderation in themselves. If they do not succeed, their want of success will arise from their want of discretion. I regard the Catholic body with sentiments of strong attachment. The warmth of young minds may have betrayed some of them into errors, which I regret, as injurious to their cause; but unless conciliation is adopted, nothing else can be of use. I shall vote for the committee, and the sentiments I shall carry into it are those which are registered on the rolls of Parliament."

Mr. Grattan sat down amidst great applause both from the opposition and the government side of the House; the House then divided. For the committee 147, Against it 228; Majority 81.

Tellers for the Ayes, Sir H. Parnell and Mr. Maurice Fitzgerald.
Noes, Mr. Long and Mr. Bankes.

STATE OF IRELAND.

SIR JOHN NEWPORT MOVES AN ADDRESS TO THE PRINCE REGENT
ON THE STATE OF IRELAND.

April 26. 1816.

SIR JOHN NEWPORT, in consequence of the notice which he had given, made, on this day, his promised motion. He entered into a historical account of the state of Ireland. He stated, that the reason why the two countries had not assimilated in manners, customs, or habits, was that Ireland had been habitually misgoverned; that no regard had been paid to the administration of the law; that, in old times, if a man was murdered, it was enquired on the trial whether the deceased was of Irish or English descent; if the former, the accused was fined five marks; if the latter, he was condemned to death. He quoted Sir John Davis, to shew that no nation upon earth was more desirous to obtain just and equal laws than the Irish. He quoted an extract from the letters of primate Boulter, to shew the system that had been pursued towards Ireland; in which, the writer expresses his fears, lest, by the measures of government, the people should become united. He then alluded to the conduct of Ireland in 1779 and 1782; at which period, by means of internal union, she not only baffled a foreign enemy, but secured and obtained her own independence. He mentioned the union; since which period she had contributed sixty-seven millions in taxes, and augmented her debt from twenty-five to one hundred and fifty millions. He took a review of the disabilities under which the Catholics laboured; and censured the existence of Orange Societies, that were contrary to law, and that served but to divide the people. He concluded with moving,

“That an address be presented to his Royal Highness the Prince Regent, humbly to represent, that the necessity which we have found of providing a force of 25,000 men, in a time of profound peace, to secure the internal tranquillity of Ireland, obliges us to consider the state of that great, valuable, and highly interesting portion of the United Kingdom, as most distressing and afflicting to the legislature, and dangerous in an extreme degree to the well being of the empire.

2. “That we feel ourselves imperatively called on by a sense of public duty, to direct to the consideration of this important subject our earnest and undivided attention. That we therefore pray his Royal Highness may be pleased to order that there be laid before us, with all convenient speed, such documents as may put us fully in possession of the extent and nature of the evil which demands the temporary application of this great military force, and may enable us to proceed with active and unceasing energy to the investigation of them.

3 "That we have armed the executive government with all the means required to suppress tumult and punish outrage; and we would now apply all our powers to a deliberate examination of the existing evils, and the causes from whence they originate, as the surest foundation for our affording to his Royal Highness the cordial and active concurrence of this House, in such measures as shall be proposed to it for their effectual removal, and for adopting such other wholesome and efficacious remedies, framed in the spirit of British constitutional legislation, as may appear to our dispassionate judgment most adequate to effect the extirpation of those evils with which Ireland is afflicted, and to rescue that fair portion of the empire from its present depression and degradation."

Mr. Peel opposed the motion. He stated, that the country was in general tranquil, though, in some counties, very atrocious acts had been committed. The Orange Societies alluded to, were discountenanced by government; and a general order was issued to the yeomanry to prevent any assemblage of corps except when on duty; and to request that party-tunes should be avoided as much as possible: he alluded to the state of the elective franchise, which, he said, was greatly abused. He stated, that it was the intention to recur to a new mode of appointing sheriffs, which would not leave the appointment solely to the Lord-Lieutenant; and concluded by moving the following amendment:—"That an humble address be presented to his Royal Highness the Prince Regent, expressing our deep regret, that the internal state of Ireland in a time of peace renders it necessary to maintain a large military force in that country for the present year, for the purpose of assisting in the execution of the law, and in the preservation of the public tranquillity, and entreating that his Royal Highness will be graciously pleased to direct, that there be laid before the House a statement of the nature and extent of the disturbances which have recently prevailed in Ireland, and the measures which have been adopted by the government of that country in consequence thereof."

Mr. Plunket was of opinion, that if an improvement did not take place in the state of affairs in Ireland, 40,000 men would be insufficient to perform the duties for which 25,000 are now thought necessary. With respect to the Catholic freeholders, any idea of disfranchising them (if such was the idea of the honourable member, Mr. Peel,) would create an explosion more terrible than any heretofore felt. The evils which affected Ireland, whatever they were, would not remain stationary; they must be put down, or they would progressively increase. If it was intended to maintain a force of 25,000 men permanently in Ireland; if the insurrection act was to be continued; if the people of that country were to be subjected to domiciliary visits in the night, liable to be imprisoned, and even transported, not by the verdict of a jury, but by summary commitment; if all those miseries were to be inflicted by the aid of the bayonet, he would say, that the House would not only neglect, but would grossly abandon its duty, if

they refused to enquire why such things were necessary, and how they might be avoided.

Lord Castlereagh stated, that the House was always ready to attend to any subject regarding Ireland; that, for the administration of the affairs of that country, it was necessary that all religious prejudices should be abandoned. Mr. Vesey Fitzgerald and Mr. Ponsonby stated the policy and necessity of acceding to the claims of the Catholics.

Mr. GRATTAN said, The evils of Ireland may be reduced to four heads; 1st, Religious animosity; 2d, financial embarrassment; 3d, pecuniary distress; and 4th, the prevalence of a banditti in different parts of the country.

As to the religious animosities, the cause is to be found in the penal laws, and the remedy in the repeal of them. Till that is done, the inhabitants of the empire can never be identified, and the empire itself never in full strength. It is a proposition which you cannot deny; for the first evil then, you have in your own hands the remedy. The 2d, namely, financial distress, arises from the excess of the expenditure over the revenue, which excess Ireland cannot supply. Her debt is 150 millions, her interest above six, her revenue somewhat above five; thus she appears not to have an income to pay the interest of her debt, still less her home expence, and her imperial contribution, that is, her financial distress. You must assist her, that is the remedy; there must be a new arrangement of finance; the cause of her financial distress is her inability to pay the whole of her expences, and the remedy must be your assistance. The 3d, is the pecuniary distress that arises from the time, the transition from war to peace, and a consequent change of price in the market; that evil is temporary.

Ireland has her commercial and her agricultural difficulties at the present moment; but I think they will pass away, and the sooner, if you give her a decisive preference in your own markets. You will observe, that Ireland takes your manufactures, and gives them a decided preference. You take her provisions, and should give them a decided preference. You have, in a great measure, done so. The great principle that should regulate the commerce between the two countries, was laid down in the journals of Parliament at the time of the Irish propositions; that the trade of the two countries should be extended on principles for the mutual benefit of both. We take your manufactures, you take our provisions, and we should both concur in preferring ourselves to other nations. As to the 4th head, namely, the prevalence of public disturbances, it is not easy to say from what causes they proceed; but it is

obvious, that, if the other three causes are removed, they cannot be formidable; in that case they can have no grievance in the laws, and they cannot now have any hope in foreign assistance. I consider them as a banditti, and not as any part of the nation: — it is a disorder upon the surface, and is not taken into the circulation of the blood; they will be put down by the exertions of government, and the removing real causes of public complaint. But to return to the financial state of the country; Ireland has increased her debt, in the course of the last war, above 160 millions; at the close of the seven years' war, the debt of England was 145 millions, and the debt of Ireland is now 150. And at that time, a very able statesman, in a pamphlet supposed to be published under his direction, gave it as his opinion, that England was ruined. Thus Ireland has come to that very state of debt now which was thought 40 years ago to be beyond the resources of Great Britain. Does she repent of this? — No. She does not come to your bar to murmur; she is too high to repine at her past exertions; it is for you to consider them, and to recollect, that by relieving Ireland, you relieve England. You will recollect further, that by her exertions she has carried into practice the great principle of empire, that Ireland will stand and fall with Great Britain, and thus has deprived foreign nations of any speculation upon the estrangement of Ireland from England, and given you a complete answer to any local interest or description of men who may interfere with our trade or pretensions.

It is very true, the difficulties of each country are great, but they will help one another out of them; and recollect, that if your difficulties are great, your consolation is not inconsiderable; you have recovered the British empire, you have procured the deliverance of Europe, you have decided the rivalry between France and Great Britain, and you have made a treaty of Peace which gives for all these things *physical security*. For that treaty I should most cheerfully have given my humble vote, with this conviction, that these islands, Great Britain and Ireland, had risen to the head of Europe, and that the change which had taken place in the foreign relationship of these countries, was a matter not merely of wonder, but thanksgiving.

The House then divided: For the amendment 187, against it 105; Majority 82.

Tellers for the amendment, Sir George Hill and Mr. Robert Ward. Against it, Mr. Calcraft and William Smith.

Sir John Newport's motion was consequently lost.

ROMAN CATHOLICS.

MR. GRATTAN MOVES A RESOLUTION, DECLARING THAT THE HOUSE WILL, IN THE NEXT SESSION, RESOLVE ITSELF INTO A COMMITTEE ON THE SUBJECT OF THE PENAL LAWS.

May 21. 1816.

ON the 15th, Mr. Grattan presented a petition from a number of Roman Catholic noblemen and gentlemen in Ireland, and gave notice of his intention to submit, at a future day, a motion to the House for the consideration of the Penal Laws; and on this day he spoke nearly as follows:

Mr. GRATTAN observed, that his right honourable friend (Mr. Elliot, who presented the English Catholic petition,) had argued this question so justly, so wisely, and with so much honour to himself and his country, that he had really left him very little to say on the subject. He begged to return his best thanks to the House for the extreme patience with which, on various occasions, they had listened to the repetition of his opinions on the Catholic Claims. Again he had to entreat their candour, which would again be followed by his gratitude. It had been repeatedly urged in hostility to the claims of the Catholics, that those claims ought to be advanced with more temper, and that a greater attachment ought to be exhibited to the existing institutions of the country. It must be most satisfactory to the House to observe, that the Catholics now grounded their hope of obtaining their liberties, or their rights, or their claims, or by whatever name the concessions to them were to be called, on evincing a disposition not merely to acquiesce, but heartily to concur, not in form only, but in act, in such terms as that House might think necessary for the preservation of the church establishment, and of the Protestant succession to the throne. The known wishes of that House could not indeed fail to make a due impression on their minds; and having considered the whole subject, and the absolute necessity of expressing their attachment, not to the crown only, but to the Protestant succession, the Catholics of Ireland presented a petition, from which he begged leave to read some extracts. [Here he read several passages of the Catholic petition, the tendency of which was to express the anxious wish of the Catholics, that the great measure of emancipation should take place under such circumstances as might render it satisfactory and unobjectionable to all classes of His Majesty's subjects;

inasmuch as, in their opinion, the chief benefit to be derived from it, would be the union in the bonds of concord of the various religious persuasions of the empire; and the removal of those jealousies and apprehensions which at present prevented a cordial co-operation for the public good. They also declared it to be their duty to state, that they were ready to submit and conform to any regulations not incompatible with the principles of their religion, or threatening with danger its pure and permanent exercise; and that while they fully relied on the liberality and justice of the legislature, not to impose any conditions inconsistent with their religious persuasions, they were convinced that an adjustment might take place conciliatory to the Protestant mind, and at the same time compatible with the principles of their faith and discipline.] This petition was signed by above nine hundred persons, many of them of the highest rank. [Here the clerk, by desire of Mr. Grattan, read a number of the names, comprehending a large portion of the Irish nobility.]

The House had desired to have certain declarations on the part of the Catholics, and the Catholics had given him a petition to present to the House in which those declarations were explicitly made. The House had exacted certain terms, and with those terms the Catholics had complied. He held in his hand a letter, for the authenticity of which he could vouch, directed by the Pope to be written by Cardinal Litta to Dr. Poynter, touching the conditions with which the legislature of this country wished to accompany any concession to the Catholics. The letter set forth the forms of these oaths, which were very little different from those at present taken by the Catholics of Ireland, and though the oath which was to be taken by the bishop was thought in itself a sufficient security, yet his Holiness did not hesitate to permit those to whom it appertained to make out a list of the candidates for a bishopric, which list was to be presented to the King's ministers, in order that if any one of such candidates were disliked, or suspected, his name may be expunged from it. The letter went further, and said, that as soon as the British Government shall promulgate emancipation to the Catholics, his Holiness will send a brief to the Roman Catholic bishops to the above effect, and publish to the universe his grateful sense of the generosity and clemency of the British government, and finally, permit the bishops to observe what was before stated with regard to the oaths and to the mode of elections. Here then, upon the granting of emancipation, was that power given to the Crown which had been so frequently demanded as its condition. He had been often, on

former occasions, asked what plan did he bring, in order that emancipation should be granted? What plan could he propose for the security of the Protestant religion, as by law established? In order to be able to answer such question on the present occasion, he had, with a great deal of pains, possessed himself of good information on the subject. He was acquainted, through a most authentic channel, with the sentiments of the Pope on the great question; and the Pope had expressed himself, that if emancipation was now withheld, the fault was not his. He (the Pope) had very fairly said, "Why will the Parliament not legislate for the Catholics? I am not indisposed to withhold my assistance." If then he was asked on the present occasion, where are your securities? He would say, "Here are my terms, they are the terms on which you wished heretofore to grant emancipation, and if you now refuse them, you refuse what you so anxiously sought for, and considered as securities."

He would ask the House how many petitions had been presented to them this session against the claims of the Catholics? He wished to have all, or any, such petitions read. None could be read. None had been presented. What then was the inference? That the great body of the Protestants were not inimical to the claims of their Catholic brethren. He would not go so far as to say, that there were not many Protestants who still opposed Catholic emancipation, but it would not be presuming too much in him to suppose, that where so many petitions had been presented on a former occasion, all or most of which were against emancipation conditionally, and none on the present, there did not exist any general opposition to it in the minds of the Protestants. There then was no general prejudice to contend against on the part of the Protestants, and there was sufficient authority to shew that they could legislate in respect of concessions for the Catholics. The Catholic bishops had, in 1799, agreed to certain resolutions, which declared that the concessions which were then, and have been since demanded, were not hostile to the discipline of the church. The Pope himself not only declares that such concessions may be granted, but has actually granted them, provided the Catholics be emancipated. This, then, would be one good effect of the committee for which he intended to move: it would show to some of the Catholics, that those concessions to which they objected were not only not against the discipline of the church, but accordant with its practice. He would not take up the time of the House by mentioning in detail the grievances which at present affected Ireland. They might be

classed under a very few heads. She had commercial and financial difficulties; but a great deal of her present misfortunes might be traced to religious animosities. The causes of the other evils of Ireland might be removed with perhaps little difficulty. But it would not be easy to remove many of the evils which arose from religious distinctions, and the effect of the penal code, without a particular investigation. To this enquiry he called the House; by it they would reduce those who made religious differences a pretext for disturbance to a mere banditti, because the removal of that pretext would be the result of the enquiry; and having no foreign power to aid them in their wish for disturbance, they would die from jejunity. If the result of the enquiry which the House might enter into, did not satisfy some of the Catholics, it should be recollected, that the duty of the House was to serve, not to satisfy them; and if they succeeded in the former, he trusted they would have firmness and spirit sufficient to act upon that conduct which justice and duty should point out. Most of the evils which at present affected Ireland were not to be attributed to the system pursued by one or another Chief Governor. He by no means wished to attribute them to such cause. The fault lay in the law, which obliged the government of Ireland to act with a marked partiality to one sect. Until this defect in the law was remedied, it would be impossible for any Chief Governor of Ireland to act impartially. The fault, then, of the misgovernment of Ireland, as far as its government was affected by the operation of the penal code, rested with Parliament, who had it in their power to repeal that code. Almost all the evils which affected Ireland, whether they originated in this code or not, were fostered and fomented by it. The United Irishmen had not originated in religious animosities, but their disturbances had, at length, turned into that disordered channel. Thus it ever would be, there was something radically bad in the laws, and as long as it was not remedied, so long would it continue to be the nurse of every evil which arose in the state, whether originating with itself or not. A sore on the finger may, though in itself not very dangerous, be turned to mortality. It was the same in the body politic, small evils may thus become the channels through which great miseries might flow on the state. The honourable gentleman then contended, that it was essential to the security of the empire, that the evils which existed in any part of it should be traced to their source, in order to prevent their spreading, or being the causes of others, as pernicious as themselves. He observed that the societies of Orangemen, which caused so much disaffection

between Protestant and Catholic in Ireland, had arisen from the effects of the penal code. Another evil which arose from it was, that the people of Ireland, he meant the Catholic population, were not identified with the law. The advantage of that identification would be to unite all in defence and support of privileges which all equally enjoyed; but this advantage, which was contemplated by the Union, was lost by the continued existence of partial laws, which, while they obliged the Catholic to defend the constitution, gave him little or no share in the privileges of that constitution. It was in vain then to expect, that while such partiality existed, the great body of the Catholics could be identified with the laws. So long as this code of laws remained unrepealed, so long would there exist in the state a large body of men of whom the government must necessarily be afraid, and to overawe whom it would be necessary to support a large standing army.

This was a necessary consequence of the penal code, and not its least obnoxious one, as it tended to draw on a military government. It was true the soldiers so employed may not be badly disposed, but as long as the soldiers in any country exceeded a fair proportion of the population, so long is the liberty of the inhabitants held, not by the law, but by the clemency of the army. He had every respect for the army, he applauded them for their unparalleled victories, and for their strict discipline, but still he could never consent that British subjects should hold their liberties at their pleasure. He did not mean to say, that the support of a large standing army was the intention of the continuance of the penal code, but such was its effects. It was necessary that this army should be kept in order, to keep down a proscribed people. It was also necessary that this army should be paid at a vast expence to the country; and for what was all this expence and this risk of a military government incurred? To keep such men as the Duke of Norfolk, or the Earl of Fingal, out of Parliament, lest if they got a seat there they should seek by treasonable conspiracies to overturn the constitution. But why should these, or any other Catholic noblemen seek to overturn the constitution when they were admitted to a participation of its privileges? Or if they were so disposed, how could they effect it? Would it be by applying to France? No. To Spain? No. We were in peace and amity with those powers. Was it then to the Pope, they would apply? Such an idea was ridiculous. The Pope had not the power, nor if he had, was he disposed to exert it. Yet it was for this we were obliged to keep up a large standing army, to prevent a few noblemen

from doing that which they would not do, if they could, and could not, if they would. Yet these were the idle fears for which we were called upon to make such sacrifices.

He begged leave to add, that the empire, according to the admission of all parties, was at present in a state of great splendour. We had made great additions to it by conquest, and it required large standing armies to keep those conquests. Why then should we add to the number of our troops, in order to keep a part of our fellow-subjects as aliens in their native country? Such conduct was most absurd and impolitic, and tended greatly to reduce the strength of the empire. Here then was the danger which was to be incurred; and for what? For refusing emancipation on those very terms on which it had been opposed some time back. The opponents of emancipation feared some time back, that by granting that measure, they would be granting an influence to a foreign power; that fear was now done away, by the terms which he proposed. The terms would place the Catholic prelates out of the danger of any foreign influence, and sufficiently under the power of the Crown, for any security which it could demand. He begged the House to be on their guard against any thing like recrimination on the Catholics. It would not be politic to refer back to ancient dates of history, to see what had been done on former occasions by them. It would be sufficient to know, that in 1782, we had made most important concessions to Ireland, which we should not now retract in part, by refusing the benefits of our law to three-fourths of its inhabitants. It had been once said, that Ireland would not receive the English law, when it was pressed upon her. The House should not now act upon a contrary principle, and refuse those benefits to so large a portion of the Irish population, who would receive them with joy and gratitude.

He then moved, That this House will, early in the next Session of Parliament, take into its most serious consideration the state of the laws affecting His Majesty's Roman Catholic subjects in Great Britain and Ireland, with a view to such final and conciliatory adjustment as may be conducive to the peace and tranquillity of the United Kingdom, to the stability of the Protestant establishment, and to the general concord and satisfaction of all classes of His Majesty's subjects.

The motion was seconded by Sir Henry Parnell, and supported by Gen. Matthew, Sir J. C. Hippisley, Lord Castlereagh, Mr. Ponsonby, and Sir Nicholas Colthurst. Mr. Ponsonby stated, that he was glad to find the Catholics had shewn a spirit of conciliation. With regard to the securities proposed, they could only be intended

to allay the fears of the Protestants, but he conceived, that the true security was in the content and satisfaction of the Catholics; Lord Castlereagh said, it was necessary that this question should be set at rest; it was important to Ireland, but still more so to Great Britain; and until it was settled, it was impossible that the government could assume an attitude of impartiality. It was opposed by Mr. Peel and Sir George Hill.

The House divided: for the motion 141, against it 172; Majority against the Catholics 31.

Tellers for the Ayes, Sir H. Parnell, Mr. Calcraft.

Noes, Mr. Osborne, Sir George Hill.

CATHOLIC QUESTION.

MR. GRATTAN MOVES FOR A COMMITTEE ON THE LAWS AFFECTING THE ROMAN CATHOLICS.

May 9. 1817.

MR. GRATTAN, previous to submitting his motion to the House, on the subject of the Catholic claims, moved, "That the petition of the Roman Catholics of Ireland, presented on the 15th of May, 1816, be read."

The petition was accordingly read by the clerk.

Mr. GRATTAN then said, "Having been applied to by the Roman Catholics of Ireland, to bring their case under the consideration of the House, I shall now proceed to discharge the duty I have undertaken. But, Sir, it is not my intention at present to go into this important question. I shall entreat the indulgence of the House, to hear my sentiments fully by way of reply. Upon a question of this sort, which has been debated in this House so often, it would be monstrous presumption in me, to expect to be heard twice in the course of one night; I shall, therefore, request the indulgence of the House for my reply; and shall now trouble gentlemen but a very few minutes. The resolution I intend to move is, for a committee to take the laws affecting the Roman Catholics into consideration. It is the same motion which was carried in 1813; and does nothing more than pledge the House to examine the penal laws, with a view to relieve the Catholics; to give every security to the Protestant establishment; and ultimately to impart satisfaction to all orders of men in the empire. I say ultimate satisfaction; because, in such a question as this, the hope of giving immediate satisfaction to every or-

der of men, is a matter of utter impossibility; and, therefore, the House must legislate to the best of its judgement, with a view to the ultimate satisfaction of one party, and the immediate relief of another.

“ I have read the report* which my learned and useful friend (Sir J. C. Hippisley) has presented to the House, which has clearly shewn you, that, in all the great countries of Europe, there is a civil and military toleration, incorporation, and qualification, for all religious sects; that there is, in nearly every state of Europe, a certain connection between the clergy and the government, so as to preclude the danger of foreign influence, and that England is almost the only country where such an arrangement has not yet been made. I beg to observe, that there is now every reason to hope, and there is no reason to doubt, but that securities may be had, and such securities as the House will perhaps think desirable. There may be domestic nomination, there may be a *veto*, there may be both ! Now you may command your own securities, and therefore, let not gentlemen say, ‘ We cannot accede to Catholic emancipation, because we have no securities.’ The question is, will you endanger the safety of your own church, in order to exclude the Catholics from the constitution ? You now have securities, both for church and state, at your command. If you exclude the Catholics, if you keep from them civil and military rights, will you not say, that you will exclude the Protestant church and the Protestant settlement from security ? That is to declare, that you will prefer to the securities which your fellow-subjects offer, and which have so often been represented as necessary to the safety of the church and state, a monopoly, the monopoly of power, the monopoly of seats in Parliament; the monopoly of civil and military offices. Is it not to say, that you will prefer this power, not to the freedom of your Roman Catholic fellow-subjects, but to the security of the Protestant church ? So that it will appear that, having called for securities, in order to justify you in granting liberty, you now refuse them, when offered, and exclude the Catholics, in order to prevent them from participating in that power which they were expected to share. I beg leave to say, that the present question is not about the means by which securities may be effected. I will not debate that point. The question is, whether any securities whatever will be received ? Let me tell you why. There is a communication between the Pope and the Catholic clergy, which must end either in incorporation with the See of Rome, or

* Official papers relating to the regulation of the Roman Catholics : printed by order of the House of Commons.

connection with the government of England, and if the latter be refused, it will be dangerous to the safety of England. You will have the Catholic clergy incorporated with the See of Rome, and the Catholic laity disincorporated from the people of England.

“ I shall go into a committee to move the repeal of the laws that disqualify the Catholics from civil, military, and naval power, subject to such arrangements as may be judged necessary for the safety of the Protestant religion, the act of settlement, and the government of Great Britain; that is to say, subject to such provisions as you will feel necessary for the security of your church and state. That, if you choose to adopt the resolution, you may shew to the world, that you have ceased to be the only country in Europe that withheld those rights; but that you are ready to give franchises; and that you are willing to grant a participation in the benefits of your constitution to your Catholic fellow-subjects. This will acquit you with regard to your having a just idea of the principles of liberty, whilst the securities you will receive, will effectually protect your civil and religious privileges. Give to the Catholics all they require, taking care that your church is properly protected. This is the principle on which the question will stand, and the point which you must ultimately concede. With respect to safeguards, I think there is no man, when he procures rights, which he considers inestimable, that ought not to give you those securities, which, while they do not trench on the Catholic church, afford strength and safety to the Protestant religion. I shall now move,

“ That this House do resolve itself into a committee of the whole House, to take into its most serious consideration the state of the laws affecting His Majesty’s Roman Catholic subjects in Great Britain and Ireland; with a view to such a final and conciliatory adjustment, as may be conducive to the peace and strength of the United Kingdom, to the stability of the Protestant establishment, and the general satisfaction and concord of all classes of His Majesty’s subjects.”

I beg to say this, that my idea is not, in any degree whatever, to put it out of the power of this House, to insist on full satisfaction relative to the proffered securities, before they proceed to legislate; so that nothing that shall occur in the House, either now, or at any future period, shall be considered operative, unless the House be perfectly satisfied that the securities offered will insure the safety of the Protestant church and state.

The motion being seconded by Mr. W. Elliot, was then put from the chair.

It was supported by Sir J. C. Hippisley, Lord Castlereagh, Gen. Matthew, Mr. W. Elliot, Sir Henry Parnell, and Mr. Canning. It was opposed by Mr. Bragge Bathurst, Mr. Peel, Mr. Webber, and Mr. Leslie Foster. The two last members entered into a very long disquisition on Catholic theology, and Irish history. They contended that the constitution was essentially Protestant, King, Lords, Commons, and Ministers; and that acceding to these demands would not only create a Catholic ascendancy in Ireland, but would shake the Protestant ascendancy in England.

Mr. Grattan, in reply, spoke in substance as follows:

I beg to re-state what I said in the beginning, that you can now command your securities, and in refusing to agree to this motion, you not only reject the emancipation of the Catholic subject, but the security of the Protestant. It is very true, a certain unpopularity may for a while attend one species of security, but I agree with the noble lord (Castlereagh), you are not to legislate to please, you are to legislate to serve, you are to legislate to save; and then rely on it, you will ultimately satisfy. If you reject this motion, I repeat it, you reject your security, you oppose the franchises of those of another religion, and the security of your own. The right honourable gentleman (Mr. Peel), has called our system a Protestant constitution; as justly might he have called it a Protestant empire; he means a constitution to which the Protestants have an exclusive right without the participation of any Catholic member; he will prove that title. I do not find that he has produced any authority, in which that constitution is called Protestant, and if he did, denomination is no title. Still less can he advance prescription, the constitution was the work of Catholics, and the fundamental laws the work of Catholics. The bill of rights, and the declaration of rights, went no further than to *declare* the rights obtained by Catholics. The honourable gentleman has no right to say, the oath is a fundamental law; the oath was not intended to go against the Catholic religion, but against those who obey the temporal power of the Pope, and such is the explanation by act of parliament. [Here the statute of 33 Geo. 3. chap. 44. was read.] Mr. Grattan proceeded and observed, that the preamble ran thus: that the oath was a dogmatic renunciation of religious tenets, instead of an oath of allegiance; that the oath had been enacted to preserve the government against the attempts of those who were supposed to acknowledge the temporal power of the Pope, and not against their religion; that it was accordingly repealed, and the oath of allegiance put in its place. I speak of the repeal of the Scotch oath of 1793. There is another act which declares the oath to be provisional,

and if provisional, of course, not fundamental. The Irish act of union enacts, that the qualifying oath and declaration shall be taken until altered by Parliament, and it had in view this very question, namely, the admission of the Catholics into Parliament. Here, then, are these gentlemen declaring the oath to be fundamental, and here are two statutes declaring the contrary; which then will you believe. Gentlemen say, the Catholics are excluded by the fundamental laws of the land from all political situations. The act of Parliament says exactly the contrary, "Be it enacted, that persons professing the Catholic religion, may enjoy all places civil and military." Having failed to make out this exclusive title by law, on the contrary, being convicted in the attempt, by act of Parliament, they endeavour to make out a title by inference; they say the King must be Protestant, the Lords must be Protestant, and the Commons must be Protestant; they are mistaken; the Lords are not exclusively Protestant; writs are now sent to Catholic peers; the Commons are not exclusively Protestant, the Commons are in part Catholic; the constituency of Ireland, and they form no small part of the electors, are in no small proportion, Catholic. Gentlemen make a comparison between the body and the House wherein it acts; the House are not the Commons, the Commons are those who elect and act by representation; accordingly the King thanks the Commons, and impeachments are made in the name of the Commons, and survive prorogation or dissolution. I have two objections to their argument; it raises disabilities on inference, which is against a principle of law, and it founds inference upon what is not fact. You cannot take away the prerogative of the Crown by inference; you cannot take away the privilege of the people by inference.

They have failed to make out an exclusive title to this constitution, they have produced nothing in the letter of the Revolution, and the spirit is all against them. The Revolution, properly understood, was not a victory of Protestantism over Popery, but of civil and religious liberty over oppression; and the Catholics were excluded from its benefits, because they were ranged in the cause of that oppression. They were excluded *then*, because they were in a state of war; and they are admissible *now*, because they are in a state of allegiance. Gentlemen have said, that the Revolution was a final settlement of religion; no such thing; the penal laws took place a considerable time after, and then their argument is, that this final settlement was open to penalties and shut to benefits. Gentlemen having failed to show that the Protestants have an exclusive title to the benefits of the constitution, or to say

more properly, that the constitution is hermetically sealed against Catholics, are reduced to prove that they have a right to exclude the Catholics from political power.

I do not enter into the question of natural right to political power; but I do say that the Catholics have a right to the attributes of law, universality, and equality; and I do further say, that the Catholics have a common law-right to eligibility. The Parliament does not give that right, but the Parliament takes it away. The common law gives the Catholic the right of eligibility, and the Parliament deprives him of it. The Parliament may do so; the Parliament must, and does regulate that right; so with regard to qualification; so with regard to persons concerned in the collection of the revenue; so with regard to placemen and pensioners. Parliament may take away that right, but it must be for a good reason, and religion is none — religion is no just excuse for disqualification. Every man has a right to communicate with his God without the interference of the state. The moral atrocity which has been charged upon the Catholic religion, and which is no part of religion, namely, violation of faith and contempt of allegiance, are imputations now too long exploded to be dwelt upon. They are incompatible with any society, and they are inconsistent with the truth of the Christian religion. Such charges are no ground for disqualification; the incompatibility of the seven Romish sacraments with allegiance to the House of Hanover, part of which is recited in the oath, as little can it form a ground of disability; imputed disaffection can form no ground of disability, and their allegiance declared in four acts of parliament, 14th, 18th, 22d, and 43d of the King; the right of property granted in 1778, the rights of religion in 1782, the right of franchise and of arms granted in 1793, preclude any question regarding disability, on account of disaffection. The inability of the Pope to shake the British empire, and his disposition signified by the letters of Quarantotti and Litta, go still farther to take away any pretence of disability on account of disaffection. But they say the Pope has revived the Jesuits, and this is an argument for attainting the Catholics; they say the Inquisition is revived, and this is a good argument for disqualifying the Duke of Norfolk, and Lord Fingall; they say that the Catholic draft of 1813 was a bad bill, and therefore the act of William, imposing the oath, is a good law; but the question is not whether a particular committee be capable of drawing an act of parliament, but whether the Roman Catholic be incapable of allegiance?

An honourable gentleman (Mr. Webber) dissents, and says, if there was an opportunity, the Catholics would rise. You will observe that this is evidence, not argument, and evidence

of an opinion, the ground of which he has not thought proper to establish. If the Catholics be so disposed, which I deny, it must arise from their particular situation by his own account, and not from the Catholic religion; that is, it must arise from nativity, and from the laws; if from nativity, his argument is this, that God has made men in Ireland for rebellion; if from the laws, then why does he defend a system which he acknowledges must produce disaffection? The member refers to history; the history of Ireland is a history of oppression, of a people ill governed, and a government ill obeyed. The historians were, for the most part, partisans, and afraid to speak truth; but do not go back to those periods of your common disgrace; rather go to those periods where you fought together, to those battles where you have conquered. Here a battalion, here a troop stood for the empire, and then learn this practical knowledge, that,

“ Without a priest his sword the brave man draws,
And asks no omen but his country's cause.”

I beg to observe, that the gentlemen on the other side have established no ground for disqualification; none in religion abstractedly considered; none in the charges of atrocity which they have made against it; none in the supposed incompatibility of the seven Catholic sacraments with the House of Hanover; none in the connection with the Pope which now ceases, except they please to continue it; none in the charges made against Irish Catholics, and they are refuted by the declaration of Parliament, and their acts of allegiance. The disqualification then becomes an act of power, and the arguments that support it, not only irrational, but criminal.

It is a crime to say, you should punish the children for the offence of the father. It is a crime to say, you should punish the many for the offences of the few. It is a crime to say, you would deprive of the benefit of the law a great portion of your countrymen, without a reason. Such reason is not only contrary to justice, but contrary to religion; they do not tell in Christianity. If the arguments be true, the religion cannot be so; they amount to a position, not that the court of Rome but that the religion of Christendom is an abomination. They are not the arguments of statesmen defending a country, but the argument of sectaries defending a monopoly. A sectary is not content with saying, that his own religion is the best, but that all other religions are bad; he takes from the Deity his attributes, and gives him his own, his pride, his passion, his love of plunder, and his love of power. When the sectary says, exclude him from the constitution, he means, “ give

me the monopoly of power." When the divine says, exclude him from the constitution, he means, "give me the monopoly of wealth." In both, it is the rank sweat of earth, and a spiritual call in neither. I wish well to the established church, and would give it every thing but the liberties of the people.

An honourable gentleman (Mr. Leslie Foster), has said, that this is a case of defence, that we are only protecting our constitution and religion, that the proposed measure would only produce a revolution in both countries; a gentleman says this, endowed with much information and ability. The Protestant establishment; the Protestant church, are great names certainly, but in order to make them any thing more than a mere outcry on the present occasion, it is necessary to show they are in danger. Seven or eight noblemen would come into the House of Peers, and perhaps ten or twenty members into the House of Commons; is this a revolution? or would this justify you in disqualifying a great portion of your fellow-subjects? It is then necessary to prophesy, and gentlemen say this would become a majority in Ireland, then a majority in England, and bear down the House of Peers, and finally depose the King. I say no; and for the reason they give; because the majority they say will draw the power; and the majority in the British empire is Protestant. But I gravely ask you, will you on the strength of prophecy, and such a prophecy, disqualify your people. Mr. Fox had observed, that if men had an interest in it, they would deny a mathematical as well as a moral truth; here it has happened; minority is majority, and nothing is, but what is not. Such has been the danger which gentlemen apprehend to the constitution. Now let us see the safety which they administer; and, first, they reject the security, and, instead of security, they suffer an unrestrained intercourse between the church of Rome, and the Irish clergy; so that there may be a complete incorporation with the See of Rome, accompanied with a complete disincorporation of the people from the constitution of England, to be accompanied with a tax on both countries, and chiefly on England, in order to guard the penal system in Ireland against the people.

*Penal system! do I say? What! are you not yet a people? Have you been for so many centuries with the powers of revenue, of government, of legislation, and are you not yet a people? And have you incurred a debt of 25,000,000*l.*, as it existed before the Union, telling nothing in empire, and only spinning on your own axis, and do you now seek to continue a system, which has thus kept you divided, and support it with barracks and forces, and inflict pains and penalties on your people?*

"It is true we have prayed for you, much; we have drank for you, much; and now all we want is every thing you have to give, at the expence of the strength of the empire.

This is not the state of Ireland, but it is their idea of her safety; fortunately for the empire, she has acted upon a very different principle. She has acted as a nation, not as a settlement; she has contributed to restore the empire, by rejecting a system those mistaken men would impose upon her; a system impolitic, immoral, and unchristian; no state can be formed on it, no morality can be reconciled to it, Christianity protests with all her charities against it; it stabs the dearest interests of men, and aggravates the crime by assuming to act in the name of the Almighty.

A division then took place. For the motion 221, against it 245; Majority against a Committee 24.

Tellers for the Ayes, Sir H. Parnell, and Mr. Wm. Smith.

for the Noes, Mr. Banks, and Right Honourable R. Peel.

WINDOW TAX.

MR. SHAW MOVES TO REFER THE PETITIONS FROM DUBLIN, TO A COMMITTEE.

May 22. 1817.

ON this day, Mr. Shaw, in pursuance of notice, brought forward his motion, respecting the window tax in Ireland. He stated that it was originally a war tax, and the Chancellor of the Exchequer, at the time of the Union (Mr. Corry,) had declared, that it was to last only during the war; it affected particularly the poorer classes in Dublin. He instanced one case where a householder paid 28*l.* yearly rent, and for window and hearth tax 24*l.*: a sum nearly amounting to the yearly value of the tenement; he complained of the severe powers entrusted to the collector, having a right to enter into any part of the house he pleased, and this under 20*l.* penalty if refused. He moved, that the different petitions from the parishes of the city of Dublin be referred to a select committee.

Mr. GRATTAN said: I agree in every thing which my colleague has stated. He has gone in so satisfactory a manner into the detail of the question, that I find it unnecessary for me to speak at large.

The petitioners, whose case is before you, I had the honour personally to receive. I would be understood to mean the deputies from the different parishes of Dublin; I found them an intelligent and respectable body of men; they spoke their real feelings, and, I believe, the feelings of those who deputed them.

The city of Dublin is certainly in extreme distress, and deserves, from her temper and her conduct, the consideration of Parliament. I agree with my honourable colleague, and some of the gentlemen, who spoke on this side of the House, that you cannot abandon the capital resources of the empire.

Subject to that principle, I cannot but think, that you may, in the present instance, administer relief to the city of Dublin; I should hope that you may diminish the tax, and keep up the revenue; the tax upon windows was proposed as a war tax, to cease when the war was over. I do not mean to say, that the then Chancellor of the Exchequer did, in any degree, mean to impose upon the public; his conduct was perfectly fair on that occasion; besides, there are certain provisions in the act which require alteration. The powers of entry are oppressive, and should be modified; the extending the tax to the out-houses, is another cause of complaint which requires the interference of Parliament.

With respect to the carriage tax, I should think that might be diminished, without loss to the revenue; on the contrary, I should think the revenue might rise by the diminution of that tax.

When I propose the revision of these taxes, I do not mean to cast any reflection on the right honourable gentleman (Mr. V. Fitzgerald); on the contrary, I think he was a most excellent officer, and that, in a most arduous situation he was a most excellent officer, and endeavoured to serve both the Crown and the people; faithful to his King and faithful to his country. His consolidation measure was most important, I acknowledge it was a measure of necessity; but I cannot withhold approbation from that servant of government who had the sense to see the necessity, and the justice to provide for it. If there be errors in the system of taxation, they are such as are inseparable from a great operation, and from difficulties unexampled. On the whole, I think the city of Dublin has made out a case which merits the consideration of government.

The motion was supported by Mr. Plunket, Mr. V. Fitzgerald, Sir H. Parnell, Sir H. Colclough, Mr. Brougham, the Knight of Kerry (Mr. M. Fitzgerald), and Sir John Newport. The Chancellor of the Exchequer (Mr. Vansittart) resisted the motion,

and moved as an amendment, "That the petition be referred to the committee of general accounts and expenditure;" he stated his intention of submitting an extended plan with regard to the revenue of Ireland; and that he would, by personal experience in Ireland, examine the merits of the measure. Upon this assurance, Mr. Shaw agreed to defer his motion for the present; and the motion and amendment were accordingly withdrawn.

WINDOW TAX IN IRELAND.

MR. SHAW MOVES FOR A COMMITTEE TO ENQUIRE RESPECTING
THE WINDOW TAX IN IRELAND.

April 21. 1818.

MR. ROBERT SHAW brought forward his promised motion on the subject of the tax upon windows in Ireland. He read an extract from a speech of Mr. Corry (Chancellor of the Exchequer for Ireland) at the time of the Union, in which he stated, that the tax was not intended to be permanent, but merely a war provision; and Mr. Corry moved, "That the window tax should continue three years, and no longer, provided the war should continue so long." Such was the motion. Mr. Shaw complained of the incapability of Ireland to pay taxes; he said, that, in the year 1816, the produce of the hearth tax was 75,000*l.*; and that of the window tax 370,000*l.*; in 1818, the former fell to 43,000*l.*; and the latter to 302,000*l.*; it was admitted by those who took a most active part at the time of the Union, that the ratio of two seventeenths was an unfair quota. From the finance returns it appeared that, in 1816, the last year of the war, the net produce applicable to national objects and payments into the Exchequer for England, exclusive of loans, amounted to 79,948,670*l.*, while that of Ireland for the same period amounted to 7,405,324*l.*: these statements were a proof of the inability of Ireland to pay heavy taxes; he accordingly concluded by moving, "for the appointment of a select committee, to consider the expediency of repealing the act of the 56th of the King, as far as respects the tax upon windows and hearths in Ireland." This was opposed by Mr. Vansittart and Mr. Peel; the former said, the taxes of Ireland were not equal to the interest of the consolidated fund. Ireland had brought to England no addition of revenue, but a large addition to the national debt; he proposed however a scale of reduction, by which 25*l.* per cent. would be reduced on the whole produce of the tax.

The motion was supported by Sir John Newport, Mr. Plunket, Sir Nicholas Colthurst, Sir Frederick Flood, Mr. Parnell, Mr. May,

Mr. Carew, Mr. W. Smith, Mr. P. Moore, and Mr. Calcraft. It was urged, in favour of the reduction, that Ireland could not contribute to such heavy charges, because, since the Union, her burdens were beyond her resources and strength; in the year 1808, her revenue was 4,417,000*l.*, since which time additional taxes were imposed to the amount of 3,500,000*l.*, the actual produce of which did not exceed 50,000*l.*; since the conclusion of the war, seventeen millions of taxes had been reduced in England, and but 400,000*l.* in Ireland; it was stated, that the decided opinion of medical men, and especially in Dublin and Cork, was, that the contagious fever prevalent of late, had been in a great measure occasioned by stopping up the windows to avoid the tax. Doctor Barry, in his report of Cork, stated that the distemper was raging in those houses, which had no windows, while those that had them were perfectly healthy.

Mr. GRATTAN said: The honourable member who moved and spoke with so much temper and information, has made out a case for a committee; it rests principally upon four grounds; first, the number of the petitions and petitioners, which are a proof of a general pressure; secondly, the strong presumption that the duty on windows was originally a war tax; thirdly, the state of the public health; fourthly, the evidence of public inability. It appears, that since 1808, additional taxes have been imposed in Ireland, calculated at three millions, five hundred thousand pounds per annum, and the additional produce has been, in the last year, fifty thousand pounds only. It appears that the window tax has fallen from three hundred and eighty thousand, to three hundred thousand pounds, and that the return for the city of Dublin alone, for this year, has been three thousand seven hundred insolvencies; from whence I collect three things; that you have over-rated the abilities of Ireland; that you have come to your acme of taxation; and further, that you have now gone beyond it. In answer to this, is objected the prayer of the petitioners, and extent of their demand. But this is not a question of exoneration merely, but a question of health and arrangement also; not whether the whole or every part of the petitions be just and reasonable, but whether any part deserves your consideration. Gentlemen say, the window tax was not to be understood as a war tax; but will they meet that question in a committee? If they are anxious to meet that charge, they should be the first to propose a committee, for it is certainly a matter which ought to be put (even according to their own statement, and for their own credit) into a course of discussion; they say it is not a case of health, for there have been on that subject only seven applications to government. Are we then to understand that the physicians are mistaken, and that in a case of

fever, ventilation is not necessary to health, and the exclusion of it not dangerous? Are we to understand that shutting out the air is safe, and shutting in and propagating fever is inoffensive? I should rather incline to think, that such a proceeding would be a bounty on the disorder, and a bar to the recovery. Gentlemen object to this the exigencies of the empire, and the excess of the public expence; but are the exigencies of government a reason why you should not stop the progress of disease? or the state of public expence a reason why you should not enquire into the state of public health? These subjects are ingredients for the consideration of a committee, but no reasons against its establishment. There are certain maxims which, should you agree to a committee, must influence its deliberations.

It will not abandon the great resources of the empire; it will not circulate such an idea, least of all at the eve of a general election. Gentlemen will not canvass at the expence of the principles of empire! Ireland will not encourage such an idea, nor degenerate from her past conduct; the part she took in the last war; the money she afforded; and, still more, the good will with which she gave it; the forces she contributed; the distinguished individuals; and above all, that great Irishman who recovered Europe; all these have placed Ireland too high to make her repent of her late exertion. She will not efface the great impression by an idle hope to extricate herself from the public difficulty, or by an effort which could only tend to cancel the gratitude, and to retain the burden. The two nations will not consider merely what they pay, but the security and pre-eminence which they have gotten. Saying this, I have no hesitation to add, that Ireland is overtaxed; that she is unequal to her present burdens. You must relieve, you must nurse, you must foster Ireland; you have the application of her resources; you should therefore have no jealousy of her strength; you must look to her growth, and therefore be tender of her childhood; you must give her a preference in your markets over all other nations, and observe a moderation in imposing taxation. Such policy is present harmony and future strength. Never look to exonerate England by overcharging Ireland; in so doing, you would overlay and dwarf the future resources of the empire. Gentlemen have said, you have diminished the taxes of England seventeen millions; and those of Ireland, but three hundred thousand pounds. It is replied, that you have diminished the taxes of England, and transferred the debt of Ireland; but the question is not, whether you have relieved Ireland as much by the transfer of debt, as England, by diminution of

tax; but the question is, whether Ireland can bear her present taxation? And she cannot. Certain additional taxes, estimated at three millions five hundred thousand pounds, have produced in the last year, an increase of no more than fifty thousand pounds. The truth is, the necessary and inevitable expences of the war were beyond all possibility of calculation or foresight; and Ireland was not able to follow you. I am for the committee; the more so, because there are certain local taxes affecting the city of Dublin, whose existing distresses are very great; which taxes may be made a subject of enquiry in this committee. Voting for this committee, I understand, that, should the question be lost, the right honourable gentleman still thinks himself bound to make a reduction of twenty-five per cent. for which I make him my acknowledgements.

The House divided. Ayes 51, Noes 67; majority 16.

Tellers for the Ayes, Mr. W. Smith, and Mr. R. Shaw.

Noes, Lord Binning, Mr. Charles Grant, jun.

ROMAN CATHOLICS.

MR. GRATTAN MOVES FOR A COMMITTEE TO ENQUIRE INTO THE LAWS THAT AFFECT THE ROMAN CATHOLICS.

May 3. 1819.

MR. GRATTAN presented eight Roman Catholic, and five Protestant petitions, in favour of the Roman Catholic claims; he then rose and said,

I beg leave, Sir, in presenting these petitions, to express my most ardent hope, that they may ultimately succeed, and that in their success they may give strength to the Protestant church, to the act of settlement, and to the Protestant succession to the crown; and that they may form an identification of the people, so as to preserve tranquillity at home, and security and respectability abroad, while the two religions under the roof of one and the same empire, may exercise their respective privileges with the same God, the same Gospel, and the same Redeemer, with different sacraments, but the same results; and in their different notes, with all the variety of nature, but with its concord and harmony also, offer up their prayers to their common Creator.

It is submitted that the Roman Catholic combination of Europe has ceased; that the race of the Pretender is extinct; that the dangerous power of the Pope is no more; and that the imputed attachments are not only gone, but the objects to which there could be any such attachment are annihilated.

The Roman Catholics claim a common law right of eligibility, subject certainly to the control of Parliament; they formerly sat in Parliament, and held offices, as you now sit in Parliament by virtue of that right; should you repeal the disabling statutes, you do not give, you only restore; should you please to continue the penal statutes, it is a sentence where you are to prove their delinquency, before you call upon them to establish their innocence.

There is no doubt that Parliament has a right to disqualify; the safety of Parliament depends on it; you have done so in the best of times; you have disqualified placemen, and pensioners of certain descriptions; you have disqualified revenue officers, and you have ascertained the qualification of members of Parliament, with a view to secure its independency; but there is one privilege which you cannot affect; you cannot disqualify on account of religion; the subject worships his God in defiance of his fellow-creature; it is the prerogative of God, as well as the privilege of the subject. The King, who would interfere, puts himself in the place of his Maker, and attempts to jostle the Almighty from his throne; he has no credentials from God, and he can have none from man; all the kings of the earth, and all their artillery, horse, and foot, and dragoons cannot, in the mind of the meanest individual, establish a conviction of any proposition, moral, religious, or mathematical. Indeed, you are too enlightened to doubt this; and therefore it is said, we do not exclude the Roman Catholics on account of their religion, but that we consider what they call their religion to be evidence of tenets and affections which do not belong to religion, and which amount to a disregard of the obligation of an oath and the duty of allegiance. Let us suppose Sir George Jerningham tried on that charge, and that the arguments tendered in evidence were, the proceedings of the council of Lateran, the revival of the Jesuits, the restoration of the Inquisition, Gandolphy's pamphlet, his reception by the Pope, and the politeness of the Pope's chamberlain: the Judge who should suffer such evidence to go to a jury would be impeached, and the jury, who found on such evidence, would be attainted. Suppose the counsel on the side of the defence should tender in evidence the divers oaths which the Protestants had prescribed, and which the Roman Catholics had taken; the answers of

the six Universities against the imputed slander, the list of the killed and wounded, the battles won with Catholic blood; and, in answer to the objection arising from the appointment of a Roman Catholic prelate by the Pope, he should say, that this was the only part of the question which, by any pretence, came within your jurisdiction, but that objection was answered by the Pope's own letters, containing an offer of the veto, and that you, in refusing that offer, rejected the security of the church, when it came accompanied with the liberty of the people; such a tender by the counsel, the judge would observe to be unnecessary, inasmuch as the other side had made out no case.

Here then I beg to observe on this part of the subject, first, that the Roman Catholics had a common law right to eligibility; secondly, that the Parliament had, in justice, no right to require them to abjure their religion; thirdly, that the Roman Catholic religion is no evidence of perfidy or treason; fourthly, that you reject the Roman Catholics for what they have abjured, and you further require them to abjure that which does not belong to the cognizance of the civil magistrate, namely, the articles of their religion; and, in so doing, you commit that for which a judge would be impeached, and a jury might be attainted.

In continuing the disqualification of the Roman Catholic, we not only deprive them of the common law right of eligibility, but we affect the foundation of our own faith, and disobey the prime order of natural and revealed religion: when we say, the Roman Catholic is affected with circumstances idolatrous, and incapable of moral obligation, or political allegiance, we say the Roman Catholic religion is not divine; saying that, we affirm that Christianity does not extend to France, to Italy, to Spain, and a great part of Germany; saying that, we say that Christianity has made no way, and of course deprive it of one great proof of its divinity; saying that, we say that the Pope has foiled his Maker, that a man proves too strong for Almighty power, save where a few nations have rescued the wreck of his omnipotence from general discomfiture; the Atheist hears all this; goes along with each sect, while it attacks the other, and, instead of stopping short at Protestantism, proceeds to infidelity.

Isay, we affect the foundation of our faith, and disobey a prime order of natural and revealed religion, which is to love one another. In no other way can you serve your Maker; prayer is adoration, not service; by serving one another, you become a part of his creation, and an auxiliary member of his system; for this, the Redeemer came among you; he came supported

by miracle, prophecy, and the internal evidence of transcendent morals, to ordain two great truths—the love of God, and the love of man; the love of man was not only the order, but the object of his coming. You answer, you do not obey; that your fellow-Christians are in general idolaters and the object, for the most part, of moral disapprobation. God then has left mankind so imperfect, as to make his own commands impossible; and accordingly we disqualify a great portion of our fellow-citizens, and denounce a great proportion of our fellow-Christians, and disobey our Gospel; except you can prove that the Gospel does not comprehend those who believe in seven sacraments, or that its blessings are to be confined to alms, and that the greater part of our fellow-Christians are objects of our charity, not of our benevolence.

You answer this, by charges against the Roman Catholics. I have stated those charges to be unfounded; you yourselves do not believe them; you did not believe those charges in the 17th of the King, when you declared the Roman Catholics to be good and loyal subjects; you did not believe those charges when you gave them the right of bearing arms; you did not believe those charges when you gave them, in Ireland, the elective franchise; you did not believe those charges when you gave them the army and navy; you did not believe those charges when you restored the Popedom; you carried the Pope on your back, the great infallible, whom you supposed would command the allegiance of your fellow-subjects, but whom you found a feeble potentate, who could not command a Roman Catholic musket in the region of Popery; strapped to the war-horse of a great captain; violated in his own dominions; and whom the Roman Catholic nations had suffered to be deposed, until the great Protestant power restored him. I say, did you restore the mass in Italy, in order to punish your fellow-subjects for Popery? No; but you saw the danger came from another quarter; you saw that Christianity of every sort was comparatively safe, but that infidelity of every description was dangerous. You did not believe these charges when you helped to restore the house of Bourbon, and with them to give new strength to the Roman Catholic religion in France. France had claimed to walk with reason, and despised to walk with God, and she stumbled; you saw that the cold acknowledgment of a first cause would ill supply the place of the living God and the glowing devotion; you saw that a Roman Catholic church establishment was a better guide than a rueful philosophy, and that Christianity, with seven sacraments, was better than infidelity; peace had lost the sweets of affiance, and war the properties of honour, and the reign of the philosopher, was a proof of the necessity of religion,

Accordingly, you waited for its revival—the revival of the Roman Catholic religion, as a means of faith, and a bond of treaty; and as you endeavoured to restore the principles of order, without disputing the particular government, so you endeavoured to revive the elements of Christianity, without disputing the particular religion; and in so doing, you introduced in Europe a political conformity on the subject of religion: you cut off the hostile appeal to Roman Catholic princes; and, accordingly, the different kings, Protestant and Roman Catholic, have united, by the bond of Christian fraternity, to support the Christian religion. You have changed the ecclesiastical position of Europe: The two religions, Protestant and Roman Catholic, had been in a state of mutual hostility, they are now in a state of mutual defence, each preferring its own establishment, but both concurring to defend the principle of government against the anarchist who should depose the King, and the principles of Christianity against the infidel, who would depose the Almighty; but you cannot limit the benefit of these principles to foreign powers; a conformity of religion abroad must be in substance a comprehension of religion at home; you cannot set up the Pope in Italy, and punish Popery in England; you cannot favour the religion of kings, and punish the same religion in subjects; that were to declare, that religion was an artifice of state to protect power, and abridge liberty.

But it is said, if you emancipate the Roman Catholics, their clergy will overturn the government, they will use their influence with their laity, and their laity will use their new power, and forfeit their lives in the vain attempt to give domination to their church; they rest this argument on a position which is fundamentally erroneous; it supposes that man struggles for the domination of his church establishment by nature; man is not attached to church establishment by nature. Church establishment is a creature of art, and a question of politics, not a work of nature. The argument goes farther, and says that men would prefer the domination of their church establishment to all considerations, moral or political; that is to say, that all men are by nature fanatics. It is true the Deity is a natural impression, but the bishop is not the Almighty; the Deity has come amongst us with the Gospel in his hand, and the Gospel contains a morality in the face of those ungrateful and rebellious proceedings here apprehended: the moral of the Gospel is common to the Roman Catholics, and in this case the argument then would be, that the Roman Catholics would rise against their God, against their Gospel, and against their King, to rebel with their clergy. This argument is not only not according to human

nature, but the reverse; it supposes Dr. Poynter, an excellent subject, will, upon the emancipation of his flock, say to the Duke of Norfolk, "Your Grace is now possessed of the privileges of the constitution, you will now of course try to subvert the government;" that is to say, lose your head by a fruitless effort to get me made Archbishop of Canterbury: it supposes that Lord Shrewsbury, Lord Fingall, Lord Clifford, excellent subjects when deprived of their privileges; on their emancipation, to precipitate on treason. With them the moral elements are reversed! kindness revolts! injuries reconcile; Strange men! such as human nature never created; you hug your thralldom; you rebel against your privileges, and you fall in love with death, when it is to be administered by the hands of the common hangman. This argument arrives at last to the monstrous palliation of two crimes; rebellion of the Roman Catholics for the ambition of their church, and pains and penalties imposed on the Roman Catholics for the exercise of their religion; and the Gospel, instead of being a system of charity, becomes a scale of ferocity.

The argument I combat, not only goes against the nature of man, but against the drift of the age. The question is not now, which church? but whether any? — Church or no church — God or no God? When you attack the religion of Europe you attack the religion of England. When you attack Dr. Troy, you attack the Archbishop of Canterbury. In vain shall Oxford come forth and say, we never meant this; we only disapproved of auricular confession; we abhorred extreme unction; we petitioned against extending to the Roman Catholics the full benefits of the constitution; the infidel or the sectary, who will succeed the church of Rome will answer "You swore the religion of Europe was a humbug, (to use their low expression), and taught us to suspect your own; you argued that the hierarchy of Europe would overturn the governments that restrained its ambition, and thus you swore so stoutly, and argued so well, that you have conquered your own religion. There is a great similitude; you send for the clergy when you are sick; you send for the clergy when you are dying; your sacrament is more than a commemoration, though less than a transubstantiation. There are shades of difference, it is true, but if their hierarchy be so abominable, yours cannot be pure, and in your common downfall, you will learn your similitude." I speak of the tendency of their argument, I do not speak of the conduct of our church: upon the whole, on this question, I think the church appears to be placable.

I love the mild government of the church of England; it is a home for piety; it is a cradle for science; so that by an

early alliance with divinity, you guard the Majesty of Heaven against the rebellion of wit. Those who would send back the clergy to the hair garment, and the naked foot, would be the first to deride. I like the arched roof, the cathedral state, the human voice, and all the powers of evangelic harmony; they give a soul to our duty, and sway the senses on the side of salvation. The wisest men we know of, Locke and Newton, were Christians and Protestants; it is the minor genius that mutinies against the Gospel. He affords to the universe one glance, and has not patience for the second; but I should think I provided ill for the security of our church, by the destruction of others.

The objection which alleges the growth of demand, naturally connects itself with this part of the subject. If the Roman Catholics get a share in the state, they will demand a share in the church, that is to say, they will desire to become Protestant clergymen. The law may make a Catholic a member of Parliament, but cannot make him a Protestant clergyman; there the nature of things interposes limits; but if they mean that he will desire a church establishment of his own, they are mistaken; it is what the Protestants in general wish to give him, and the Roman Catholic declines; he declines, because he does not feel that impulse, charged on nature, in favour of a church ascendancy; because they wish to have their pastors a little nearer to themselves, and less connected with the court, the progress of demand does not arise from the unreasonableness of the Catholics, but from the nature of things: In the time of the Pretender there was a general disability; at the death of the Pretender some of the penal political provisions were by law to cease:—when the Emperor Joseph repealed the principal provisions against the Protestant, you naturally proposed a corresponding repeal:—when the French made great changes in their religion, and their country ceased to be a champion of Popery, a further repeal took place; and now, when you have established a political conformity abroad, a political comprehension at home naturally presents itself; it is not the growth of demand, but the ceasing of the hostile circumstances which were incident, but not essential to the Roman Catholic religion. There was a time, perhaps, when less could be said for the repeal of the penal code, and the time has now arrived, when nothing can be said for its continuance. Your error is, that the circumstances that belong to the times, you annex to the sacraments of their religion.

And now I must add another objection interposed in the way of Roman Catholic emancipation, and that is, a denomination not less respectable than the Revolution; a great event,

but a human transaction, and the arrangement of man; but what is here claimed, is the dispensation of the Almighty. The Revolution does not repeal the New Testament; the Revolution, properly understood, is the victory of civil and religious liberty, not over a sect, but over a tyranny. When the Roman Catholics cease to support that tyranny, they are entitled to the benefits of the Revolution. It is said, that the oath and declaration framed at the Revolution were intended to be final, — Parliament says otherwise; the House of Lords, in its resolution of 1705, says otherwise; in the act of the Scotch Union, it declares that the oath and declaration were not to be final. Again Parliament in the act of the Irish Union declares, that this oath and declaration were not to be final. You will observe that the declaration is conventional; in order to obtain the approbation of the Roman Catholics in favour of the Union, they were informed by Parliament that their exclusion was not final; so that instead of a covenant amongst the Protestants against the Roman Catholics for their final exclusion, there is a covenant of the Protestants, with the Roman Catholics, against their final exclusion; the argument is nothing less than a proposal to break that covenant. I have understated the force of the Roman Catholic case on this part of the argument; the oath and declaration were not only not intended to be a final exclusion of the Roman Catholic, but did not purpose to exclude the Roman Catholics generally, but directed its rigour against such as refused to abjure the temporal power of the Pope: such is the act of 1793. Now this description does not comprehend the present race of Roman Catholics, and therefore they do not come within the meaning of the exclusion: such is the act of 1793. It contains three principles: it condemns the oath and declaration; it repeals the oath and declaration, in the instance of Scotland; and it declares that Roman Catholics in general did not come within the rigour of the act of exclusion. Gentlemen talk of a Protestant constitution; it seems they prescribe for a Protestant constitution; what! for a constitution in favour of the Protestants before the existence of the Protestant religion? Baptism is no title; you may call your son George Brunswick, but that does not give him the crown; the component parts of the constitution are not exclusively Protestant, the peers are not exclusively Protestant, the commons are not exclusively Protestant, the Irish electors are not exclusively Protestant, and yet they are a part of the commons. You are not to confound the third estate with the house in which that third estate is represented, or to suppose that the commons are only the representatives,

and not the electors: but Protestant constitution is a good name, and excites the feelings without any meaning annexed; so they answer the Gospel; their evangelical duty is stated, it is said the Gospel ordains that you should love your enemies; they reply, the battle of the Boyne; the Revolution of 1688; and the glorious memory of King William. Thus they answer the Gospel by toasts, which tickle the brain without reaching the understanding, and produce intoxication instead of conviction.

They speak of Ireland; it is a common case of colonization, except where your policy made it peculiar; you made an exclusive system, and prevented your own amalgamation. When they say the Irish are disaffected, I deny it; but if they are, who made them so? not their five additional sacraments; it must have been then their oppression: you acquit oppression, and convict their religion; and bearing false witness against the people, their detractors desire two things, to get a monopoly of all the good things in this life, and in the next glory everlasting.

They have been at this work for ages; they have gotten the land, established our religion, and disqualified the majority; we have given them good reason for so doing, by assuring them of the idolatry of their faith, the treason of their politics, and the perfidy of their religion; and unable to reconcile a perverse generation, we desire barracks and an army. This is the account men give of the result of their politics in Ireland, and in this account they do justice neither to the Roman Catholics nor to themselves. The Protestants in Ireland are not tyrants, the Roman Catholics are not rebels, and the Protestants and Roman Catholics together form a fine race of men. The Protestants have, in many instances, saved to the Catholics their inheritance, and, in general, respected their persons. The Irish heart, better than the law, rescued humanity from the barbarity of the statute. Make it a point of spirit, and the Irish will yield nothing; refer it to his heart, and he has the softness of a woman: — even the most violent have frequently acted with the milk of a Christian, though they have argued with the fury of an idiot. The Protestants have petitioned in great numbers, and in great respectability; it is impossible not to take notice of the good conduct of the chief magistrate of Dublin, the Lord Mayor *, who acted with temper, firmness, and liberality; also of the good conduct of the government, and the chief secretary †, who I now see on the opposite bench, and whom I hope long to see in the situation that he holds.

* Alderman M'Kenny.

† Mr. Charles Grant

The petitioners against the Roman Catholics, (many of them I know, — many of them I personally regard;) I would ask them, do they really think their fellow-subjects should be excluded on account of extreme unction? Certainly not. For transubstantiation? Certainly not. And yet their application, if strictly taken, would, and for no better reason, deprive them of their civil rights for ever: it would go, as far as concerns two-thirds of their fellow-citizens, to a perpetual repeal of the Gospel. The standard of constitution which they frame, would be at least as fatal to themselves as to the Roman Catholics; for it is the Revolution of 1688, in which their country was deprived of both trade and the exclusive power of her own Parliament; and it was not till one hundred years after when Ireland recovered her trade and her liberty. They will observe also, that there was no law against the admission of Roman Catholics into the Irish Parliament at the time of the Revolution, nor did any law take place till near one hundred years after; they have then chosen a period as the standard of their rights, when the Roman Catholics were not excluded from seats in Parliament by law, and when the whole country was deprived of trade and liberty by power.

But it is said, an arrangement is impossible. To take away privilege, it seems, then is easy; but to restore, to retrace the diabolical course, there is the difficulty. Not the ability and sound judgment of Mr. Ponsonby were adequate (I will name the committee), not the modest truth of Mr. Elliot's intellect, not the refining genius of Mr. Windham, not the strenuous capacity of Mr. Whitbread, nor the all-enlightened perfection of Sir Samuel Romilly's understanding. These men were of the committee to frame the bill, they are now great authorities to support it; authorities canonised by death; but I do not despair; my right honourable friend * still lives; the trusty constitutional hand that drew the bill † still lives; the noble lord ‡, his enemies must allow him abilities, he lives; the luminary § by his side, he lives; and the good ameliorator of the lot of Africa, he lives. || What then is the tremendous obstacle to overcome which we boast our incapacity? It is a declaration that the majority of Christians are idolaters; that our good ally, the Emperor of Austria, is an idolater; that our good ally, the Emperor of Russia, is an idolater; that our good ally, the King of France, is an idolater; that the King of Portugal, for whom we have been fighting so brilliantly, is an idolater; — saying this, we announce that we have crowned

* Mr. Tierney

† Lord Castlereagh.

|| Mr. Wilberforce.

‡ Sir Arthur Pigott.

§ Mr. Canning.

idolatry in Italy; that we have given idolatry new vigour in France; and have planted idolatry in Canada. This declaration is one obstacle, the oath of supremacy the other: the latter means to abjure any foreign power of any kind, co-active, coercive, or compulsory; affecting any power to be enforced by temporal means, any power which is more than conscientious, any jurisdiction of what sort soever in this realm. The Roman Catholic might take that oath properly explained; will you try him? Would you explain that oath so as to give the Crown the benefit of what is called his complete allegiance? There are two oaths then in the way of his emancipation; the one, the oath of supremacy, which, if properly explained, the Roman Catholic would take; the other, the declaration, which every Protestant should wish to repeal: to repeal the one, and to explain the other, with such circumstances and accompaniments as may be held to be necessary, are motions that will be submitted to the committee; refusing them, you will have refused your own security.

It is further argued, that all this will not satisfy; that is to say, to obey the word of God, commanding us to love one another, will not satisfy; as far as any thing is personal to the Almighty, they are ready; but further they beg to decline, and they make a compromise with their Maker; they praise God, and damn one another. When gentlemen have said that the bill of a former year gave universal dissatisfaction, they go farther than they are warranted; the laity did not give any general expression of dissatisfaction; some Catholic bishops certainly did, but they had before expressed their satisfaction, and approved of the bill; and you will observe, when the Pope objects to the *Regium Exequatur*, he shows that you may take it if you please, as other princes have done, and he cannot help it.

Gentlemen object that the bill gave every thing; how then could it give general dissatisfaction. Certainly not on account of the two exceptions in it, the seals and the Lord-lieutenancy, for they are the patrons of Protestant livings. Now to tell a Roman Catholic that he cannot be trusted with an office, is to tell him he is a bad subject; but to tell him he cannot be a Protestant patron, is only to tell him he is a Roman Catholic.

There are those who disapprove of the *veto* and detest emancipation; if you wait until you can reconcile these, you will wait for ever; because you cannot satisfy all, you will satisfy none. Recollect that the question here, is not merely a question of public satisfaction, but a question of public service; and not only a question of public service, but a question of religious duty; and then the argument is, you must take

the pleasure of the crowd, before you obey the Almighty. When I say the crowd, I mean a crowd of sectaries. When we consider obedience to a human law, we ask, is it on the roll? But when we consider the law of God, we ask, is it convenient? How will it please the prince? How will it answer our interest in the corporation? How will it serve us on our elections? We try the wisdom of God by the folly of man, as we did his person; and decide against both by a presumption, which is blasphemous.

Gentlemen call this a question of empire; the Gospel is not a question of empire; it is the highest possible command pronounced by infinite power; it is the highest imaginable interest pronounced by infinite wisdom; as the empire swerves from it, she falters; as she stands by it, she prospers.

The objection that the Irish are below the privileges that emancipation would confer, I scorn to answer. You should answer it; for that argument would say that you had governed the Irish so ill, as to have put them below the blessings of a free constitution. They want bread, it is said, and not liberty; and then you leave them without bread and without liberty; and here your conduct is as inconsistent as your assertion is unwarrantable. You give the elective franchise to the people so described, and you refuse the representative to those who are not pretended to come within that description. The objection that the Roman Catholics do not love liberty I despise equally. What! in these walls to say so! in these walls that have witnessed their confirmation of Magna Charta thirty times, and in this city, whose tower guards that great sacred instrument of liberty. There are now extant of those who trace themselves to the signature of the Charter, three families; they are Roman Catholics, they are petitioners, and they desire to share that liberty which their ancestors gave to the people of England. It is said the Roman Catholics do not take the oath of supremacy, and their allegiance is imperfect; make it perfect then, and explain the oath of supremacy as I have already mentioned, and then the Roman Catholics will take it. Their allegiance is as perfect now as it was before the reformation, and then it was found sufficient. Their allegiance is as perfect as that of Austria; that of France; or that of any country that acknowledges the spiritual power of the Pope; that is, of all Catholic countries. The people of these countries afford a conditional allegiance, allegiance for protection; and yet their allegiance is found sufficient. The Presbyterians do not acknowledge the King to be the head of the church, and yet their allegiance is found to be sufficient. The Roman Catholics are said to

carry their allegiance too far, and instead of a perfect to render to the King an abject allegiance. We prefer contradictory charges against them; the one would suppose them to be rebels, and the other to be slaves: the Roman Catholics are neither. We owe an allegiance to God, which is perfectly consistent with our allegiance to the state; and an allegiance to our free constitution, which is perfectly consistent with our allegiance to the King. Do you think our allegiance would be more perfect if we thought the King a great doctor of divinity; or, like Henry VIII. a tyrant, who could change our religion without understanding it? When they desire allegiance to the King without a rival, they would strike constitution out of our state, and God out of our religion.

It is said, the Protestant church in Ireland is established by the articles of the Union, therefore the Roman Catholics are to be disqualified. Will they, by that, insinuate that the Protestant church sold the country at the time of the Union? The authors of the union were of a different opinion, and told us that the Catholic emancipation was to be the result of that measure. On what ground do gentlemen, then, place the faith of the ministers of that day? They make them hold out to the people the hopes of emancipation, and at the very moment bring in an article which makes that measure impossible. There is no such article.

Upon what ground do they place the Protestant church, by that argument? they make its establishment incompatible with the civil rights of the people, who pay that church; they do more, they make it incompatible with its own Gospel; and the rock on which they rest it, is hostility to Christian charity and popular liberty. It is said, when we urge the fewness of their numbers to come into Parliament, that we allow their unfitness to be in that place. No; it is a question of proportion: you would not have the members all English, all Irish, or all Scotch, but a proportion of each, representing their respective interests. It is objected that the Roman Catholic prelate takes an oath of persecution. — No; "*persequar*," is not to persecute. The persons who make the objection, excellent men I suppose they are, but I hope their knowledge of divinity exceeds their knowledge of Latin. "*Expugnabo et persequar*," means, I will use my utmost endeavours to proselyte. What power, what means have these bishops to persecute? But it is not a question with regard to the meaning of the Latin words; there are no such words in the oath, they are not only wrong in respect to the construction of the Latin tongue, but they are wrong in the matter of fact; there are no such words in the oath. I am glad, however, they have

expressed their abhorrence of persecution, which, it appears by referring to the fact, the Roman Catholics have abandoned, and they themselves propose to continue. They object to a Roman Catholic ceremony, and that a very ridiculous one, of "reading out," repeated every year. The answer to that is, there is now no such ceremony in England. They say this is a question of politics! whether the state has a right to punish the subject for not abjuring his religion, a question of politics! Then it seems with them religion is politics, and politics is oppression.

I have now gone through most of the arguments, which at different times (forty years it is since this question has been under consideration) have been urged against the Roman Catholics, from the time of the right honourable member, (Mr. Foster,) whom I see opposite, who resisted it with great ability, and great temper also, to another right honourable member, the late Secretary for Ireland*, who opposed it on a former occasion, in a speech, replete with talent and effect, set off by the suavity of his manners, and the excellence of his character; whatever could be said on that side he has said it; but he laboured under one insuperable difficulty; he was to prove an impossibility; namely, the right of the state to disqualify the subject for not abjuring his religion. I took a part in that debate alluded to, and I must say, I have reason to complain a little of the unfair criticism of some of our own side. I make no reply, but refer to my speech; that is my answer.

In the course of this debate, two great points have been obtained, which should settle the proposition for ever; the one is, the confession of its antagonists; the other, the experiment of its safety. The antagonists have said, that, with equal privileges, population draws power. Then there is an end of their opposition; for the population of the two islands is Protestant, five to one; and the Protestant ascendancy would, therefore, be established by the emancipation of the Catholics, and increased; inasmuch as where the different parts of the community have their natural place, the strength of the majority embraces the strength of the whole: there is no deduction. You must consider also, in addition to their numbers, that the property, particularly the landed property, is beyond comparison Protestant; you are to consider that the seat of legislature is Protestant; you are to consider that the Crown is exclusively Protestant; you are to consider that the number of members from the Roman

* Mr. Robert Peel.

Catholic part of the empire cannot exceed a sixth of the representation in one House, even were we to suppose that the whole number were Catholics, which is impossible; still less in the other, besides the bishops; and you must further consider the progress of amalgamation. But the antagonists say, that in Ireland the Roman Catholic ascendancy will be established. I answer not; unless it be established in England; for there is but one ascendancy, and that ascendancy acts here. Gentlemen say it would be Protestant England, Presbyterian Scotland, and Catholic Ireland. Not more than it is so now; with this difference, that it is now disqualified Ireland; and of course discontented Ireland. Gentlemen say, that the property in Ireland would change, and become Roman Catholic. Why so? Not in consequence of the emancipation. To make them members of Parliament, or to make them officers, is not a change of property. If such a change takes place, it must be from the freedom of trade and the right of purchase. You do not mean to take away that; you do not mean to restore the gavel, or repeal the act of 1781, which gave them the freehold. Their proposition, then, is this: by the laws which they do not propose to repeal, the property of Ireland must become Roman Catholic. To guard against the evil consequence, they propose to disqualify the landed property, and render hostile or alien to the empire the landed proprietors of Ireland. I cannot say what would be the best arrangement for Ireland, but I am sure that would be the worst. No; there is another still worse; and that is, that these people, so disqualified and affronted, should have the command of the army and navy—you have given it. While gentlemen were talking of the permanency of an imaginary balance, two quantities, and those not very inconsiderable, went out of the scale—the navy and army.

In the year 1807, a noble lord, then the minister*, (and if ever there was a disinterested minister, he was that minister,) brought into the House a bill, extending the right of holding certain military commissions to His Majesty's Roman Catholic subjects. It was exclaimed, turn him out. What! a Roman Catholic command a regiment! A Roman Catholic command a ship! The church is undone: turn out the bill; turn out the minister, and excite the people! Two years ago, another minister (he acted wisely) brought in a bill, giving the Roman Catholics the navy and army. The bill was read a first time; it was read a second time; committed; reported; read a third time; and passed without any opposition whatever. It was sent to the Lords; read, committed,

* Earl Grey (then Lord Howick).

and passed; the mitre nodded its unanimous approbation; the bill received the royal assent. The next morning the tower of London was observed not to have fallen; the spires and steeples of Oxford and Cambridge persisted to stand; the Bishop of Peterborough and the Bishop of Chester were alive, and not only alive, but alive with undiminished health and income. The safety of the state and the prosperity of the church showed the futility of that wisdom, the folly of those fears, and the unreality of those alarms, that would, for the strength of the empire, exclude one-fifth of the people.

You have now settled this question; or will you say, that the Roman Catholic cannot be trusted with a vote, but may with the navy of England? Do not give him the *posse committatus*, but he may have the army; he may be commander-in-chief, but do not make him an alderman. The navy and army consist of above 120,000 men; these he may command: but here draw the line; no political power, except His Majesty's forces by sea and land. I say, in point of argument, you have settled this question; and when you shall have settled it in point of fact, I shall congratulate you, for you will not only have enfranchised their religion, but you will ameliorate your own. The enemies of the Roman Catholics had confined the universal benevolence of the Gospel to their own sect, and had deprived their fellow-Christian of the benefits of one great attribute of the Almighty: they had not only taken from the Deity his attributes, but they had given him their own, and had made him a partial and a penal God, the minister of their ambition; and thus they became self-idolaters in the worship of their own spleen, under the name of the Almighty: they had forgotten the mild character of the gospel, they had mixed a little acrimony in their religion, and annexed to prayer a contumelious humility, that despised the publican who prayed by their side. It remains for them now to restore to God his attributes, and to their devotion the morality, the sublimity, and the amenity of the Gospel.

Other nations have got the start of us in liberality; the system of disqualification has become peculiar to you. It does not exist in other enlightened countries: it is not in Germany, it is not in France, it is not in Hungary, it is not in Holland; but in England, free, liberal, and enlightened England! England and Spain seem to possess it without a rival; but then you will say, let arbitrary countries give civil and religious liberty, but let a free country disqualify a fifth of its people, and assume to the remainder the monopoly of the Godhead. Recollect that you are forfeiting your great prerogative of taking the lead in liberating the human mind:

in the arts that grace mankind other nations excelled you; they sang better, they danced better; but in stating courageous truths, in breaking political or metaphysical chains, here were your robust accomplishments. We have heard of divers anomalies in your policy — they are numerous; your treaties, your subsidies, and your prayers; but you yourself are the great anomaly. The Continent lay flat before your late rival; the Spaniard had retired; the Austrian had retired; the Prussian had retired; the iron quality of Russia had dissolved; the domination of France had come to the water edge, when, behold! from a misty speck in the west, the avenging genius of these countries issues forth, clutching ten thousand thunders, breaks the spell of France, stops, in his own person, the flying fortunes of the world, sweeps the sea, rights the globe, and then retires in a flame of glory; and, when the human race is in amaze and admiration at his courage and originality, he turns school divine, fights a battle about extreme unction, and swears against the companions of his fortune and his victories. Our Prince is, on the part of his father, the supreme head of the church; we are his national council, and as such, have a right to advise him. I avail myself of this privilege, and say to him, “My prince, my master, you must take the lead in the deliverance of your people. The graciousness of your manners indicate that you were born for acts of benevolence. Your predecessor, the Plantagenet, prevailed on the continent, so have you; but then he gave the charter and the laws of the Edwards: your other predecessor, the Tudor, she rescued Holland, so have you; but then she passed wise and useful statutes innumerable. You have carried Europe on your back; but then the home measure, the securing and ascertaining and extending the liberties of your people — that, that still remains. The whole body of the Roman Catholics petition for freedom. The destinies of a fifth of your empire are before you. Come — the glory of the house of Hanover is waiting for you; be the emancipator of the Roman Catholics, as you have been the deliverer of Europe, and look in the face, the Tudor and the Plantagenet.”

Mr. Grattan then moved, “That this House do resolve itself into a committee of the whole House, to consider the state of the laws by which oaths or declarations are required to be taken or made, as qualifications for the enjoyment of offices and the exercise of civil functions, as far as the same affect His Majesty’s Roman Catholic subjects; and whether it would be expedient, in any and what manner, to alter or modify the same, and subject to what provisions and regulations.”

Mr. Croker, (secretary of the Admiralty) seconded the motion, in a very elaborate and talented speech. It was supported by Lord Normanby, Sir Robert Wilson, and Mr. Wrixon Beecher. It was opposed by Lord Lowther, Mr. Leslie Foster, and Mr. Brownlow.

The House divided, and the numbers reported were, Ayes 242, Noes 248. Notice being taken, that several members had come into the House after the question was put. The Speaker desired the members not in the House when the question was put to signify the same. Accordingly Lord Forbes was struck off the Ayes, and Mr. Bankes, Mr. Ure, General Porter, Lord Rocksavage, and the Marquis of Worcester were struck off the Noes, and the numbers were thus reported, Ayes 241, Noes 243; Majority against the committee 2.

Tellers for the Ayes, Lord Nugent, and Mr. Croker.

Noes, Sir J. Osborne, and Mr. Leslie Foster.

WINDOW TAX IN IRELAND.

MR. R. SHAW MOVES FOR A COMMITTEE TO ENQUIRE INTO THE
SUBJECT OF THE TAX UPON WINDOWS IN IRELAND.

May 4. 1819.

MR. ROBERT SHAW had, on a former day, presented petitions from the citizens of Dublin, praying for a repeal of the window-tax, and on this day he made his promised motion. He contended that the people of Ireland had a right to rely upon the pledge given by the Chancellor of the Exchequer, (Mr. Corry), in the Irish Parliament, who then stated, "That the tax was to meet the exigencies of the moment, and was not intended to be permanent, but merely a war provision." Either the government or the Parliament of Ireland had been pledged to adhere to this arrangement; if not, the people of Ireland had been deceived. The tax was not only oppressive, but had greatly conduced to increase the fever of late prevalent in Ireland, so much so, that the commissioners of revenue had been obliged to issue an order, remitting the tax in certain cases. He read an extract from Dr. Parker's report of the epidemic fever in 1817, and 1818, showing how much this tax had contributed to increase the sickness in the metropolis. He said that the reduction of twenty-five per cent. was certainly a boon for which the people were grateful; but that their distresses as well as their health, required that the tax should be repealed altogether. He concluded by moving, "That a select committee be appointed to consider the expediency of repealing the act of the 56th of the King, as far as respects the tax upon windows in Ireland."

Mr. Grattan seconded the motion.

It was opposed by the Chancellor of the Exchequer (Mr. Vansittart), Mr. Grant (secretary for Ireland), Sir George Hill (vice-treasurer for Ireland), Lord Castlereagh, Mr. Wilberforce, Mr. Richard Martin, and Mr. Marryat. They contended, that the words of Mr. Corry did not bear the interpretation put on them; the financial state of the country would not permit the reduction of such a sum; the debt of Ireland consisted of 104,000,000*l.* of capital borrowed in England, and about 30,000,000*l.* borrowed in Ireland. The charges due on the debt payable there were 4,462,377*l.* the amount of the revenue of Ireland on the 5th of January last was 4,589,977*l.* leaving a surplus of about 130,000*l.* but Ireland had another debt payable in England, amounting to 4,767,392*l.* making a total of 9,229,769*l.* leaving a deficit of 4,639,792*l.* In such a state of things, it was not possible to repeal the tax, especially when in the last three years a reduction had been made in the house, the hearth, and other taxes in Ireland, to the amount of 156,562*l.*

The motion was supported by Sir John Newport, Mr. Hutchinson, Mr. Forbes, Mr. Callaghan, Mr. Colclough, Sir Nicholas Colthurst, Mr. Carew, Mr. Vereker, and Mr. Knox. Mr. Plunket stated, that by the 40th of the King, c. 52. the tax was declared to be laid on for the purpose of maintaining 50,000 men in Ireland, that the act of the 52d of the King was merely a regulation, and distinctly recognized the window-tax as a war-tax. Ireland had contributed to the exigencies of the empire, when in fact she was in a state of bankruptcy; she had been engaged in a mad career since 1800, and had been going on at a rate (not calculated at the period of the Union), and one which it was not possible for her to support. The tax was odious in Ireland, and in large towns particularly oppressive. Dublin had great reason to complain, for before the Union she had a resident Parliament, and a resident nobility. Upwards of 100 families of the first distinction, lived within her walls; they were now no longer to be found there; in Dublin alone, upwards of 3500 notices of discontinuance had been served on the collectors of the window-tax, and in the last three years the number of notices served amounted to 32,324; thus the tax was becoming every year less and less productive. For 1817, the deficiency was 36,768*l.*; for 1818, 43,213*l.*; for the last year 77,920*l.*

Mr. GRATTAN then rose and said: Sir, after so many speakers have delivered their sentiments on this question, it would not become me to enter very largely into its merits. The anxiety that is manifested by the House, and my own state, would in a great degree prevent me. The temperate and judicious manner in which my honourable colleague has brought forward this question, and the very able and convincing arguments that have been adduced by my right honourable friend the member for Dublin University, have

left me very little to say : and I would fear to weaken their arguments, if I attempted more than a recapitulation. Sir, it has been in my opinion clearly proved, that upon this question there was a distinct pledge given by government respecting the continuation of this tax; to urge this to the utmost is undoubtedly a very tender subject, and to some it has already appeared not a little invidious. There are other grounds upon which to proceed, and I should prefer to argue from them, for although I would not abandon any part of the strength that Ireland has upon this subject, still I should not like to tax Parliament directly with a gross breach of faith : such a charge is very serious in its nature, and were it established, it would only lead to mutual recrimination. Such a consequence no man would deprecate more than myself, conceiving it to be our duty to soften, rather than to exasperate. With respect, therefore, to the subject of the Union that has been alluded to, I shall only say, that my sentiments remain unchanged, and my old opinions upon the nature of the relationship between the countries have undergone no alteration. The marriage, however, having taken place, it is now the duty, as it ought to be the inclination of every individual, to render it as fruitful, as profitable, and as advantageous as possible. I agree with my right honourable friend as to the law; the acts that have imposed this tax clearly show that its existence was intended merely to be temporary, not permanent; and the war being at an end, this tax should have been at an end also. But there is another point more important, and which contains an argument more conclusive — that is, the health of the people of Ireland ! The opinions of the various physicians; the order from the Board of Excise, and the ravages of the fever itself, prove the necessity of the abolition. You have here not merely the declining health of the people, but you have from the papers on your table, the returns that show the declining state of the tax itself, which is an evidence, not merely of its unpopularity, but (like the victim that it makes), an evidence of its mortality also. The number of discontinuances that have been served on the collectors, and the diminished produce of the tax, are additional reasons against its continuance. I am willing to admit that, on this point, much has been done by government. The Chancellor of the Exchequer has made a substantial reduction, not certainly such as I could wish, but one that undoubtedly entitles him to our thanks. However, Sir, he will please to recollect the state of the country that is affected by this measure — the absence of those who ought to reside, and the poverty of those who do, and the consequent

inability to pay. He should likewise consider that this tax operates as a drawback on improvement, and deters individuals, from the construction of the very buildings that are in Ireland most desirable. In the city that I have the honour to represent, there is, I regret to say, abundant proof of great distress, of the difficulty to pay this tax. I hold in my hand a statement which has been furnished to me, by some respectable individuals of the city of Dublin, who have submitted certain queries to the churchwardens of the different parishes, upon which I am informed that I may rely, and from which I beg to read the following extract; it furnishes a better argument than I could give, and is the strongest proof of the necessity of complying with the motion of my honourable friend to go into a committee. The queries were:—

“ 1st, The number of houses in the parish? 2d, The number inhabited? 3d, The number to be let, whether occupied or not? 4th, The number of insolvencies?

“ St. Mark's parish. — There are 85 shut up; there are 50 to be let; and 120 insolvent. In 1816, a Mr. Piele demanded for his house 1500*l.* fine, and 150*l.* a-year; a house in the same street, equally good, was let a few months ago for 600*l.* fine, and 130*l.* a-year.

“ St. Audeon's. — 400 houses; 147 were returned in arrear by parish collector, and 95 insolvent.

“ St. James's. — About 700 houses; 50 uninhabited; 150, or thereabouts, to be let. Half of the houses in St. James's parish are returned as insolvent for grand jury cess. Rent has fallen full one-third.

“ St. Nicholas Within. — 84 houses (in both parts of the parish 574); 70 inhabited; 14 uninhabited, and between 30 and 40 returned insolvent, both for grand jury and parish cess.

“ St. Mary's. — 1500 houses; 271 shut up; 291 returned insolvent, on the oath of Mr. Irwin, collector of grand jury cess, 9th November, 1817.

“ St. Thomas's. — 1458 houses; 146 returned insolvent, on the oath of Mr. Harricks, the parish and grand jury collector; 450 returned as waste.

“ St. Catherine's. — 1887 houses; 105 returned as insolvent; 110 down, or in ruins; 90 waste.

“ St. Bridget's. — 680 houses; 103 shut up; 57 kept open, but are insolvent.

“ St. Andrews. — 650 houses; 129 insolvent.

“ Werburgh's. — 267 houses; 37 insolvent.

“ St. Michael's. — 111 houses; 42 insolvent; and 11 shut up.”

Sir, I can add nothing stronger than this statement. I could support it by alluding to particular cases of distress and inability. I am in particular in possession of one that I might state, but I am deterred from doing so by the lateness of the hour, and the wish of the House to come to a decision. I beg only to add, that if the various other taxes to which the citizens of Dublin are subject should be taken into consideration; the heavy local and city taxes that have of late so heavily pressed on them, and have attracted their attentive enquiry, it will be found that this case deserves, not only our consideration, but our indulgence: I therefore most cordially support the proposition for an enquiry; we ought to go into a committee; we ought to propose some regulations; the respect and love I bear my constituents would induce me to go much more at length on this question; but I could not add to the arguments that have been advanced; nor could I strengthen the statement that I have read; I beg therefore to say, that I most cordially support the motion of my honourable friend.

The House then divided: for the Motion 73, Against it 150; Majority against the repeal of the tax 77.

Tellers for the Ayes, Mr. R. Shaw, and Mr. Knox.

Noes, Sir G. F. Hill, and Mr. Lushington.

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